

Proceedings of the Mysore Representative Assembly.

DASARA SESSION—SEPTEMBER 1925.

The Fourth meeting of the reconstituted Assembly commenced at 12 NOON on Tuesday the 29th September 1925. Appendix A contains the names of the members present.

The DEWAN and the Members of Council took their seats at 12 NOON precisely and the proceedings were opened by the Dewan-President with the following address :—

Introductory Remarks.

It gives me great pleasure to welcome you, by command of His Highness the Maharaja, to this Dasara Session of the Mysore Representative Assembly. This will be the fourth meeting in succession of this Assembly since it was reconstituted under the Proclamation of His Highness in October 1923, and I have no doubt that your deliberations will, as usual, be characterised by sobriety of judgment, common sense and moderation. The task that lies before me to-day of presenting to you an account of the administration of the past official year is rendered easy by the fact that since the introduction of the Constitutional Reforms two years ago, the problems of administration and the affairs of the State have been subjected to a more detailed scrutiny and examination by the representatives of the people in the two Constitutional Assemblies on several occasions during the year, and as such, much of the material that I can place before you in my Address will be quite familiar to you and will not require any detailed explanation or narrative. Under present conditions, therefore, the Dewan can hardly find any new matters of special interest to announce in this annual Address, for, as Dewan-President of this Assembly as well as the Legislative Council, he has to expound the views of Government on all matters that come up for debate or discussion and these practically cover the whole range of our administration. Following the past precedent, however, I will

endeavour to present before you as interesting an account of the year's administration as possible and also deal with all our pressing administrative needs in the immediate future and the general policy of Government in regard to them.

Seasonal Conditions.

The average rainfall in the maidan districts was higher than in the previous years except in parts of the Kolar and Tumkur Districts and was fairly well distributed. In some parts of the State, however, the heavy and abnormal rainfall in July and August 1924, caused unprecedented floods in the rivers Cauvery, Kapini, Tungabhadra, Yegachi and Hemavati. The value of property lost or damaged was estimated at over Rs. 5 lakhs. Fortunately, there was no loss of life. Timely action was taken to relieve the distress of the sufferers not only by granting special gratuitous relief, building material and takavi loans, but private philanthropy was also organised by means of a Central Flood Relief Committee presided over by His Highness the Yuvaraja. The unfavourable seasonal conditions in parts of the Kolar and Tumkur Districts which had prevailed in the year 1923-24 continued with the same severity during the following year until they were relieved by the *mungar* rains. The relief measures in these areas had therefore to be continued and a total allotment of Rs. 3,39,378 was specially sanctioned during the year for the purpose. Suspensions and remissions were granted in these parts to the extent of nearly Rs. 80,000. The total final expenditure involved in the flood relief and distress operations during the year came to Rs. 6 lakhs apart from recoverable outlay on advances. In the rest of the State, however, owing to improved seasonal conditions, there was an increase in the area under cultivation, the acreage under ragi having gone up from 2,152,305 to 2,264,797 and that under paddy from 644,390 to 693,062.

GENERAL ADMINISTRATION.

You will perhaps expect me on this occasion to make a brief reference to the working of the Constitutional Reforms graciously vouchsafed by His Highness the Maharaja in October 1923. Since then, the Assembly met three times and is now meeting for the fourth time. The Legislative Council met six times up to date.

I will now proceed to give a brief account of the work done by the two Houses.

The Representative Assembly.

Taking the Assembly first, Government have consulted it in respect of 14 Bills among the most important of which I may mention, the Coffee Cess Bill, the Mysore Village Panchayet Bill, the Mysore District Boards Bill, the Bill to amend the Mysore Municipal Regulation, the amendment of the Press Law, the Ancient Monuments Preservation Bill and the amendment of the Mysore Muzrai Regulation. It is a matter of gratification to Government that in respect of all the Bills on which the Assembly was consulted, the principles of the Bills found the acceptance of the House. On their own initiative, Government took the opinion of the Assembly on certain matters under their consideration. Among the most important of these, I may mention the question of reciprocity between the Hindus and the Mohamedans regarding the stoppage of music in front of mosques and temples and the question of prohibiting cow slaughter.

The privilege of interpellating Government has been fully exercised by this House and nearly 140 questions on matters of various kinds have been asked by the members. In respect of resolutions also on matters of general importance, the members of this House have shown great keenness in the exercise of their privilege. The total number of resolutions moved during the three sessions under consideration amounts to nearly 50. All these items of work are in addition to the discussion of over 360 subjects of a general character. It is not possible for me to give you a detailed account of these resolutions, interpellations and representations. For these details, I must refer you to the published reports of the proceedings of this House. I may say, however, that most of the matters which were dealt with by this House were of a highly useful and interesting character and included such important matters as trade conditions in Mysore, technical education in the lower schools, promotion of temperance, encouragement of indigenous system of medicine, extension of medical relief, improvement of sanitation, restoration of minor tanks, promotion of education among all classes of His Highness' subjects, promotion of industries, grant of relief on occasions of floods and drought, extension of Sanskrit education, re-organisation of the Civil Service, Panchama education, working of the Recruitment Rules, rural education, education in the malnad, town and village

improvements. Speaking generally, there is not a single department of Government the work of which did not come in for review before the House.

The privilege of discussing the general principles involved on the annual State Budget and of moving resolutions in respect of it has been exercised by this House on two occasions. In the course of general discussions, Government have received most useful suggestions and the discussion of resolutions gave the Government an opportunity of explaining their principles and policy. That the explanations given by the Government were to the satisfaction of this House is evident from the fact that most of the resolutions on the Budget were withdrawn by the movers after discussion.

The experience that has been gained of the work of the Representative Assembly under the altered constitution enables me to make a few observations in regard to the disposal of business and procedure. There is a certain amount of over-lapping between the representations and the resolutions, specially as local subjects have now been eliminated and it will have to be considered how far this defect can be remedied. Further, it has been found that owing to the importance attached to resolutions which are regarded as matters of formal debate and voting, a great deal of the time of the Assembly is now taken up in considering them from all aspects, and as no limit to the number of speeches can be fixed, it is inevitable that, if a large number of members take part in the discussion of any particular resolution, the representations cannot be taken up. In spite, however, of this inconvenience, only 94 representations suffered such a fate and altogether in the two sessions, two-thirds of the representations were disposed of after full discussion. The discussions on the Budget in this Assembly as well as the resolutions brought forward on the Budget take several days to get through; but repetitions of criticisms and arguments cannot be avoided under the present system although there is the tendency, naturally enough, to attach greater importance to resolutions than to discussions.

The Legislative Council.

Turning now to the Legislative Council, the work transacted in it has been equally heavy and varied. The House considered 21 Bills of which 14 were passed by the Council and the others are in various stages of con-

sideration. The number of resolutions on general matters moved in the Council was nearly 50 and the number of interpellations asked was over 160.

The Council has also passed the Budgets for two years and in connection with them, moved no less than 177 motions for reduction or omission of grants. It is a matter of sincere gratification to the Government that practically all these motions were withdrawn after explanations by Government.

It will be clear from the facts and figures given by me that the representatives of the people in both the Houses have taken the fullest advantage of the opportunities afforded to them by the Reforms. The keenness of the members to obtain information and help Government with useful advice has been a pleasing and prominent feature of the working of the two Houses. On behalf of Government, I can assure this House that Government have given their most earnest attention to the suggestions of the people's representatives and in all possible cases have already given or will soon be giving effect to them. I may mention in passing that the average attendance of members of both the Houses was never so high in the pre-Reform days as it is now and the sessions of both the Houses are also longer. This is a clear indication of the interest, earnestness and public spirit displayed by the members in the discharge of their duties, responsibilities and privileges.

Local Self-Government.

The income and expenditure of the District Boards during the year was Rs. 25,35,729 and Rs. 26,18,909 respectively. The total expenditure on drinking water wells in rural areas was Rs. 90,244.

The District Boards of Bangalore, Hassan and Kolar have non-official Presidents and the remaining District Boards are presided over by the Deputy Commissioners.

The total income and expenditure of the two city municipalities amounted to Rs. 11,46,195 and Rs. 12,39,045 respectively. For City Improvement Works a sum of Rs. 1,78,000 for Bangalore and Rs. 1,81,000 for Mysore were spent, which included contributions given by Government. The income and expenditure of the other municipalities amounted to Rs. 11,71,829 and Rs. 9,67,036 respectively during the year.

The total number of municipalities in the State

including the two city municipalities was 75, of which 18 were town and the others minor.

The following water supply improvement schemes were either sanctioned or completed or were in various stages of progress:—

(1) A scheme for the improvement of the Bangalore water supply was sanctioned, Government promising a grant of one-third of the municipal share of the cost, the balance being met by the municipality in the manner indicated in Government Order No. L. 509-12—Ml. 127-23-13, dated the 22nd July 1925. With a view to enable the municipality to provide for the sinking fund and other charges connected with the loan to be granted by Government, an increase of taxation proposed by the Council in regard to water rate and tolls was sanctioned to come into force from 1st July 1925.

(2) An estimate amounting to Rs. 4,34,000 was also sanctioned for the improvement of the Mysore City water supply.

(3) Administrative sanction was accorded to the Kadur water supply scheme estimated to cost Rs. 82,858.

(4) An estimate amounting to Rs. 12,100 was sanctioned for improving the drinking water supply tank at Magadi.

(5) The works connected with the water supply to the Tumkur town, the trial well for the water supply to the Doddballapur town and the improvement of the drinking water tank at Devanahalli at a cost of Rs. 6,300 were in various stages of progress while the construction of the filter beds in Kolar and Chintamani was completed.

(6) The total expenditure from State funds under water supply schemes during the year was Rs. 28,800 against the Budget grant of Rs. 34,550. An equal sum was also spent under this head out of the contributions received from the municipalities concerned.

Land Revenue Department.

The total demand under Land Revenue including arrears amounted to Rs. 1,39,61,243; and the collections amounted to Rs. 1,26,45,459, showing an increase of nearly 11 lakhs over the collections of the previous year, the percentage being 90·6 as against 88·7 during the previous year. The disposal of darkhasts was satisfactory, the total being 11,308, the highest on record.

Under simplification of office procedure, important

changes were made both in the methods of correspondence as well as the forms in vogue. A scheme of probationers for the Shekdari service has been introduced ; and revenue probationers were appointed for direct recruitment to the Amildari service.

Excise Department.

The excise revenue decreased by Rs. 4 lakhs when compared with the revenue of the previous year, the decrease being chiefly noticeable in the consumption of arrack and toddy. District and Taluk Licensing Boards were appointed in all the municipalities including the two cities of Bangalore and Mysore as well as the Kolar Gold Fields. The duties of forest and police officers in respect of offences under the excise laws were more clearly defined. The scale of fees on foreign liquors was revised.

The total revenue of the department was Rs. 68,89,874.

Forest Department.

The total forest receipts excluding the revenue realised by the sale of sandal oil amounted to Rs. 17,84,719, thereby showing an improvement of Rs. 2 lakhs as compared with the Budget anticipations. There was a satisfactory increase in the realisations from the tangadi bark leases.

The net revenue from the sandal oil factories was over Rs. 19 lakhs as against Rs. 13 lakhs of the previous year.

The total forest revenue amounted to about Rs. 37 lakhs and the departmental expenditure came up to Rs. 6,96,331 as against Rs. 7,20,000 of the previous year.

Income-Tax Department.

The total revenue realised under income-tax was Rs. 12,58,000 and under super-tax Rs. 5,91,000. The income-tax administration came in for a detailed examination with reference to the criticisms that were made both in the Representative Assembly and in the Legislative Council and as a result thereof, suitable instructions have been issued by Government to remove hardships that were brought to notice during the examination of the accounts and on other matters connected with income-tax enquiries by assessing officers.

Stamps and Registration.

The total realisations under both heads during the year came to Rs. 23,75,000 as against the Budget estimate of Rs. 21,25,000 thereby showing an increase of nearly Rs. 2½ lakhs over the actuals of the previous year.

Mining Department.

The mining revenue, representing royalty on gold, came to Rs. 12,62,269.

Orders were issued relaxing the reservation of manganese and chrome, subject to certain restrictions and conditions and providing for the participation by Government of 25 per cent of the net profits. The rent from mining and prospecting agreements came to Rs. 20,665 as against Rs. 21,458 in the previous year.

The revenue derived by the department came up to Rs. 80,142, excluding the royalty on gold and the expenditure to Rs. 58,900.

Survey and Settlements.

The revision settlement was introduced into the seven taluks of Malur, Mandya, Seringapatam, Bowringpet, Yedatore, Chintamani and Kolar, resulting in an increase of revenue of Rs. 1,55,405. Only nine taluks remain yet to be re-settled. The total establishment charges of this department were reduced by Rs. 25,000 during the year.

Courts of Law.

The scheme of separation of judicial and executive functions was extended to Tumkur and Hassan Districts during the year and the system of trial by jury has been ordered to be extended to the districts of Kolar and Shimoga. Two Additional Munsiffs' Courts at Bangalore and Mysore, which had been temporarily sanctioned, were made permanent with effect from the 1st of July 1925 and the additional Subordinate Judge's Court at Mysore was ordered to be continued till the end of December 1925.

The total expenditure under courts came up to nearly Rs. 10 lakhs as against Rs. 10.3 lakhs of the previous year.

The working of the Special Magistrates' Courts was examined and the system of itinerant courts was introduced in the Thirthahalli Taluk.

Police Department.

The police expenditure came to Rs. 15,88,076 showing an increase of Rs. 62,000 over the previous year. The increase is due to the provision of extra staff necessitated by the separation scheme. The Provincial Special Reserve Police were re-armed with up-to-date breach loading rifles of '303 bore.

Prisons Department.

The expenditure under the Prisons Department came to Rs. 1,72,091. The earnings under jail industries showed a substantial improvement, being Rs. 27,000, or Rs. 7,000 more than those of the previous year.

Medical Department.

Five new dispensaries were opened during the year. A combined Ayurvedic Dispensary has been sanctioned at Shimoga. The total expenditure of the Medical Department was Rs. 9,82,000 as against Rs. 9,52,000 in the previous year.

Sanitation and Public Health.

There was unfortunately a decrease in the number of births registered and an increase in the number of deaths, the corresponding figures being as follows:—

		<i>Births</i>	<i>Deaths</i>
1923-24	..	122,105	115,563
1924-25	..	91,286	119,168

Vaccination was declared compulsory in 27 towns. A special staff was sanctioned for conducting surveys and preparing plans and estimates for town planning and sanitary improvements. The sanitation of the villages as well as municipal towns leaves much to be desired and for want of adequate grants to these areas, both rural and urban, very little progress was made under sanitation.

Military.

The expenditure under the head "Army" came to Rs. 16.68 lakhs. No definite orders could be passed on the proposals for the re-organisation of the Military Forces during the year owing to the question being intimately connected with that of Subsidy. The military accounts were

overhauled under a new system and adequate arrangements have been made under the scheme of devolution of the audit by giving the Chief Commandant a well-trained Accounts Officer to audit the accounts as well as to advise him in matters of departmental finance.

University.

The total expenditure of the Mysore University came to Rs. 8,31,016, out of which Rs. 7,44,000 was provided by Government and the balance met from other sources including the Reserve. The total number of students was 1,106 as against 1,161 during the previous year. The results of the examinations, except the University Entrance Examination, were fair. Some proposals for starting new Faculties were considered by Government during the year; and B.T. and Electrical Engineering Courses were ordered to be opened from the commencement of the current academical year. Recognition was secured for the B.A. and B.Com. degrees of the Mysore University from the Bombay University and for the B.A. and B.Sc. degrees from the University of Paris.

The special committee appointed to consider the question of the re-organisation of studies in the University having sent up their recommendations on the subject to the University, their report has, in view of the numerous representations received from different parts of the State requesting that an opportunity may be given to the public to discuss the report of the committee, been published in the issue of the *Mysore Gazette* of 6th August 1925.

Education Department.

Education Memorandum.—The several measures of reform and developments contemplated by Government in their orders on the Education Memorandum are being given effect to, to the extent possible having regard to the funds that can be made available for the purpose. Among the measures carried out are:—

1. Completion of the education survey.
2. Reconstitution of school committees and revising their powers and duties.
3. Remodelling of the course in primary and middle schools into one of four years each.
4. Transfer of control of primary education in Bangalore City to the Bangalore Municipal Council.

5. Revision of the curricula of primary and middle schools.
6. Making Vernacular the medium of instruction in the middle school course.
7. Opening of additional High Schools in Bangalore, Tiptur, Nanjangud and Tirthahalli.
8. Revision of the S.S.L.C. scheme.
9. Standardisation of equipment of schools.
10. Transfer of industrial schools to the control of the Industries Department.
11. Abolition of the post of the Deputy Inspector-General of Education and increase of the number of Assistant Inspectors to 45 and re-distributing their charges.
12. Revision of rules *re.* grants to private hostels.
13. Revision of the grant-in-aid code.
14. Opening of a panchama boarding home for students of High School classes at Bangalore.
15. Systematization of the scheme of scholarships.
16. Introduction of a new grade of education officers on Rs. 125-10-175.
17. Revision of the scale of pay of Pandits and Munshis in the High Schools and the Training College.
18. Introduction of commercial classes in two more High Schools.
19. Construction of a large number of new school buildings and improvement of standard plans.
20. Larger encouragement to private hostels.

As the resources counted upon by Government for financing the programme of development outlined in the orders on the Memorandum were not fully realised, some of the measures have only been partially given effect to, while in the case of others, the line of reform proposed to be adopted has been departed from partly in view of experience gained since the issue of the said orders and partly on financial considerations. The levy of an education cess suggested in the orders on the Memorandum has not been accepted by two of the District Boards, *viz.*, Kolar and Kadur, and most of the Municipal Councils, while the Local Bodies that have levied the cess have only been raising it at six pias instead of at one anna in the rupee. The question of augmenting the resources for educational expenditure by making the levy of the cess compulsory, is engaging the attention of Government in connection with the larger

question of financing elementary education according to the programme laid down in the orders on the Education Memorandum.

Under the Vocational Training Scheme, twenty-five classes for practical instruction have been sanctioned in the four cess-paying districts of Bangalore, Tumkur, Shimoga and Chitaldrug. Of these, 3 were for carpentry, 5 for tailoring, 2 for brass work, 10 for agriculture, 1 for rattan work, 1 for lacquer work, 2 for weaving and 1 for smithy.

The Women's Home, Mysore, has also been reorganised into a vocational institute for women, with provision for instruction in teaching, midwifery, sick nursing, rattan work, tailoring, knitting and embroidery, weaving and silk-twisting.

In connection with the triennial programme relating to improvement of educational facilities in the malnad, it is proposed to make provision for a larger number of vocational classes in the middle schools there.

In passing orders on the revision of the S.S.L.C. scheme, Government approved of the proposal of the Senate of the Mysore University to have one of the several vocational subjects as an optional subject for the S.S.L.C. examination. The proposal of the Inspector-General of Education for the opening of vocational classes in the High Schools for boys at Mysore, Bangalore, Tumkur, Shimoga and Davangere, involving an expenditure of Rs. 12,000 has been approved by Government, and provision has been made therefor.

The total expenditure of the Education Department came to Rs. 48,12,400 as against Rs. 45,46,480 in the previous year. Of this amount, a sum of Rs. 5,17,698 was actually disbursed under the grant-in-aid scheme. Rs. 40,581 represent grants for buildings, Rs. 21,327 to hostels, and Rs. 4,55,790 to aided schools.

A sum of Rs. 2 lakhs was spent on the education of the Adi-Dravidas.

Agricultural Department.

The total expenditure of the department, which now has under its control, the Veterinary, Live-Stock and Sericultural sections, came to Rs. 6,79,200 of which, the expenditure on Agriculture proper came to Rs. 3,86,800 as against Rs. 3,56,000 in the previous year. Spraying

operations were conducted over an extent of 5,723 acres of areca garden and 35 acres of coffee land against *koleroga* and black rot.

The revenues from the Amrut Mahal Department showed a satisfactory increase of Rs. 15,000 over the income of the previous year. The expenditure decreased from Rs. 36,992 to Rs. 32,214.

Four new veterinary dispensaries were opened and an extensive campaign of inoculation against cattle disease was undertaken, the total cost of serum supplied being a lakh of rupees.

A well-boring section was organised during the year.

Industries and Commerce Department.

The work of the Industries and Commerce Department related chiefly to the management of the Government Soap Factory, the Government Central Industrial Workshop, and the Weaving Factory, grant of takavi loans and offering advice to promote smaller industries in rural parts throughout the State. A scheme of grant-in-aid for the development of Home Industries was sanctioned. The Mysore Match Manufacturing Company was given a suitable site for its factory in Shimoga and a sum of Rs. 48,267 was distributed under takavi loans for starting new industries. The collection of instalments of loans previously granted was satisfactory.

The total expenditure of the department was Rs. 1,31,060 as against Rs. 1,59,000 of the preceding year.

Co-operative Department.

The number of societies working at the close of the year was 1,468 against 1,487 in the preceding year, the decrease being due to the winding up of some inefficient societies. The total membership, however, increased from 92,203 to 94,208, the share capital from Rs. 35½ lakhs to Rs. 37 lakhs, the deposits from Rs. 32·7 lakhs to Rs. 33·9 lakhs and the reserve from Rs. 11 lakhs to Rs. 12 lakhs.

Many of the co-operative societies in the distress and flood areas, rendered very good service by not only voting appreciable sums of money for gratuitous relief but also by distributing loans liberally. Five house-building societies were started in the localities affected and Government advanced 1½ lakhs of rupees to them.

Orders were passed during the year on the report of

the Mysore Co-operative Committee and action has been taken on all points referred to therein including the formation of an apex bank at Bangalore.

Public Works Department.

The total expenditure on Public Works including Local Fund works was Rs. 31,88,183, the amount debited to State funds being Rs. 27,87,805 as against the sum of Rs. 24,97,000 during the previous year. Satisfactory progress was made with the Bhadra Anicut Works and it is hoped that water will be made available in the first ten miles of the right bank channel from October next. The minor tank restoration works showed satisfactory progress under the new scheme and a total expenditure of Rs. 89,857 was worked out as against Rs. 79,725 during the previous year. Three hundred and forty-five tanks were under progress and it is hoped that all the incomplete works will be completed during the current year.

Electrical Department.

The gross demands of the department during the year amounted to Rs. 44,83,606 against Rs. 45,15,642 in the previous year. The decrease was chiefly due to the loss on account of the rate of exchange which amounted to nearly Rs. 2,81,000. A considerable portion of this loss was, however, made up by the extra consumption of power. The total number of power and lighting installations increased from 7,873 in 1923-24 to 8,592 in 1924-25. The charges incurred on account of operation and maintenance expenses of the plant during the year amounted to Rs. 8,00,554 and a sum of Rs. 6,47,853 was credited to the depreciation fund. The working expenses amounted to 17.8 per cent. The net revenue during the year exclusive of interest on depreciation fund was Rs. 30,35,199.

The most important of the capital works of the year were the Sixth Installation and the remodelling of the Bangalore Transmission Line. The former works have been completed and the latter is under progress.

The capacity of the generating station at Sivsamudram is 32,000 H.P., and the whole amount of this power is taken up and there is an additional demand for over 10,000 H.P. The possibilities of further power developments on the Cauvery river were completely investigated; and as a result thereof, the Seventh Installation at

Sivasamudram for the generation of power of 14,000 H.P. has been sanctioned. Particulars of this project were explained by me in detail during the last Budget speech before this Assembly.

Recently, encouragement has been given to small industries by reducing the rate for power by $12\frac{1}{2}$ per cent. The number of private motor installations during the past five years has increased from 186 to 272.

Railway Department.

The gross revenue from railways in 1924-25 was Rs. 82 lakhs against Rs. 76 lakhs in the previous year and the expenses on operation and maintenance including the payment on account of guaranteed interest and the contribution to the depreciation reserve amounted to Rs. 65½ lakhs against Rs. 64 lakhs in the previous year. The net revenue was accordingly Rs. 16½ lakhs representing a return of 3.3 per cent on the total capital outlay. This rate is still very low and steps have to be taken to increase it by attracting more traffic to be carried by our lines and also by economising expenditure on their maintenance and operation. The development of our railway receipts must necessarily be a slow process as some of the connecting links have yet to be constructed. But efforts are being made to improve the position as speedily as the conditions permit. The aggregate capital outlay on all the Mysore Railways (including State Lines worked by the M. & S.M. Railway Company and the outlay on lines under construction managed by Government) up to the end of June 1925 was Rs. 4,92,10,938 and the net receipts, Rs. 17,21,183, after adjusting surplus profits and guaranteed interest. The Nanjangud-Chamarajanagar project was resumed during the year under an agreement with the District Board which raised a loan on State guarantee for the purpose.

Negotiations are proceeding with the Shimoga District Board for similarly resuming the construction of the Shimoga-Arasalu line; and proposals of the Kadur District Board for taking up the Kadur-Chikmagalur line are now under the consideration of Government.

Capital Works.

Krishnarajasagara Works.—The final grant for the Krishnarajasagara works for the year 1924-25 was Rs. 14,69,875 against which an expenditure of

was Rs. 14,08,000 incurred. According to the programme of work approved by Government, the low gaps in the dam have all been filled up and the raising of the low portions to 122 is under progress. During the floods of July of this year, the water was stored to 106 and passed over the 106 weir to a depth of about $1\frac{3}{4}$ ft. The current year's programme is to raise the masonry to 122 throughout the whole length of the dam and then to arrange for raising it to 130, the final contemplated level, in accordance with the recommendations of the committee appointed in March 1925 with Sir Frederic St. John Gebbie, Consulting Engineer of the Government of India, as Chairman.

The total expenditure up to the end of 1924 on the dam works is Rs. 201.20 lakhs and including canals, Rs. 227.90 lakhs nearly.

The total area irrigated under the two low level canals was 19,463 acres against 18,212 acres during the year 1923-24 and shows a steady increase. As a result of the unprecedented floods of 1924 almost all the anicuts and channels in the Cauvery Valley sustained serious damage and immediate arrangements were made to restore water supply in all the channels which were seriously affected by temporary sand-bag dams. An expenditure of Rs. 2,33,708 was incurred on the flood damage works which were carried out satisfactorily before the current irrigation season. A technical committee was appointed in connection with the revised estimates for the Krishnarajasagara Dam works and the recommendations of the committee have been made available to the Press. The revised estimate, based on the recommendations of the committee, are under the consideration of Government.

According to the Cauvery Agreement with the Government of Madras, Mysore may irrigate 125,000 acres under the Krishnarajasagara and may construct other reservoirs in the Cauvery valley besides the Krishnarajasagara of an aggregate net capacity of 45,000 m.c.ft. to bring under irrigation an additional area of 110,000 acres. The survey operations in regard to the extension of irrigation under that agreement were in progress and sufficient data have now been collected for the consideration of the main features of the possible canal and reservoir schemes. These are now under the active consideration of the Government.

Krishnarajasagara Hydro-electric and Irrigation Works.—The net revenue from these works in 1924-25 was Rs. 29 lakhs which represents a return of 7 per cent

on the capital outlay on the combined scheme. The rate of return will be increased when the revenue anticipated from the additional power generated from the Seventh Installation Works is realised. Up to the end of last year, these works yielded a gross revenue of Rs. 532 lakhs, out of which Rs. 191 lakhs were either spent on working expenses or set apart for addition to the depreciation reserve, leaving a sum of Rs. 341 lakhs as net revenue.

Bhadravati Iron Works.—The total outlay on the Iron Works from the commencement to the 30th June 1925 was Rs. 1,84,00,000. The losses incurred from the commencement of the operations in January 1923 amount to Rs. 15,25,000.

The production of pig iron during the year shows a steady increase being nearly double of what it was during the first half year since the operations commenced. Similar increases are also noticeable under bye-products. The total operation charges during the year came to Rs. 18,09,429. The revenue of the year amounted to Rs. 11,58,768 made up of the net value of sales effected and of additions to stock which, valued at current market rates, amount to Rs. 2,23,414. The loss during the year was Rs. 6,62,805, of which Rs. 2,66,508 represent the loss on operation and the balance is mainly due to further decline in prices.

Owing to the general collapse of the market, the price of pig iron has fallen considerably during the past two years.

On the recommendation of the Finance and Taxation Committee, it has been resolved to continue the operations for a further period of 18 months and the result of the working will no doubt be watched by Government as well as the public with the keenest interest. By that time the concern will have worked for nearly four years.

Financial Position.

General.—My Budget speech of June last before this Assembly went considerably into the details of our financial position as it then stood and I need only give a summary of the introductory portion of that speech on this occasion. I pointed out, by giving the three years' figures, that the gross revenues had increased from Rs. 3,12,05,389 in 1921-22 to Rs. 3,35,59,000 during the past three years. I also added that the total sinking fund and interest charges which were Rs. 21 $\frac{3}{4}$ lakhs increased by Rs. 33 lakhs in the past

three years and by comparing the figures under the major heads, I indicated the main lines of improvement in our financial position in spite of the adverse circumstances connected with the losses on the Mysore Iron Works, which had to be written off out of the current revenues each half-year since they started operation, and the unbudgetted expenditure on account of the Viceregal Visit as well as flood and distress relief measures. I have before me the provisional actuals under revenue and expenditure for the year under review and therefore am able to compare the revised estimates which were presented to this Assembly in June last with the actuals.

Preliminary Accounts for 1924-25.—Under the Budget estimate of the year, the total revenue was Rs. 336 lakhs whereas the Revised was Rs. 335.59 lakhs, thereby showing that it underwent little variation. I am glad to be able to state that according to the provisional actuals, the total revenue of 1924-25 was Rs. 342½ lakhs thereby showing an improvement of Rs. 7 lakhs. This is the highest level reached so far. Towards this, Railways contributed Rs. 2½ lakhs, Sandal Oil Factories Rs. 1½ lakhs and the Forest Department Rs. 2 lakhs. The actuals under the other heads call for no remarks. The gross revenue expenditure under all heads taking also into account the flood damage works, was fixed at Rs. 340 lakhs but the actuals come to Rs. 338½ lakhs showing a saving of Rs. 1½ lakhs. Thus the total improvement taking both sides of the Revenue Account is Rs. 8½ lakhs. The intention then was to meet the expenditure on works for repairing flood damages out of the money set apart for non-recurring expenditure and not out of the ordinary Revenue Account; but as there is an improvement of Rs. 8½ lakhs in the year's Revenue Account, it is now proposed to meet the expenditure of about Rs. 5 lakhs on these works also from the Revenue Account. The net result of the year is a surplus of Rs. 4 lakhs against Rs. 1 lakh anticipated in the revised estimate.

Triennial Results.—I should like to place before you a few figures for indicating the general trend of our finances in the last three years. The loss on Iron Works is shown as a *minus* entry on the revenue side and this procedure obscures the position in respect of total revenue under the other heads and it is therefore necessary to exclude this item from a calculation, the object of which is to follow the course of revenue. I accordingly give, under revenue receipts, the aggregate amount without making any deduction on

account of the loss on the operation of the Iron Works. Under revenue expenditure, I shall take the gross charges under all the heads, excluding only the outlay on the Bhadra Project met from the Irrigation Capital Reserve. The plan of meeting non-recurring expenditure from the Special Reserve has been found possible because we have had some extraordinary receipts in the past few years. We cannot, however, count upon such receipts always and strictly, our current revenues should be capable of bearing both ordinary and special demands upon them. I shall therefore include in the expenditure figures the charges met from the Special Reserve.

I give below a bird's-eye-view of the actual financial transactions of the past three years.

I.

STATEMENT OF RECEIPTS AND EXPENDITURE.

(In lakhs of rupees)

Year	Gross Revenue	Gross Expenditure	Surplus	Capital Expenditure
	Rs.	Rs.	Rs.	Rs.
1922-23 ..	331	331	..	51
1923-24 ..	340	338	2	21
1924-25 ..	347½	338½	9	39
Total ..	1,018½	1,007½	11	111

II.

STATE OF PUBLIC DEBT FROM 1922-23 TO 1924-25.

(In lakhs of rupees)

Total contribution to Sinking Funds from Current Revenues	Reduction of Public Debt	Net indebtedness on 1st July 1925
56½	100	194

It will be seen from these figures that the revenues in each of the three years, overlooking the loss on the Iron

Works, were sufficient for meeting all demands upon them—ordinary and extraordinary. Special expenditure amounting to about Rs. 12 lakhs had to be incurred in the two years 1923-24 and 1924-25 and of this, Rs. 6 lakhs were for repair works and relief measures on account of floods and drought and about Rs. 5 lakhs for the Viceregal Visit.

The revenue in 1924-25 was Rs. 16½ lakhs more than that in 1922-23, while the increase in expenditure in the same period was only Rs. 7½ lakhs and these are features which point to the steady improvement in our administration finance. This position, based on the experience of three consecutive years, is proof of the restoration of our revenue finance to a condition of complete stability, which may be expected to be maintained, if not upset by unfavourable factors affecting either the revenue or the expenditure side of the account.

Reduction of Public Debt.—A brief reference is necessary to explain the position as regards our Public Debt and the measures adopted during the past three years for its reduction. The policy of setting apart contributions from current revenues for Loan Sinking Funds was fully carried out during this period and the amount set apart for this purpose was Rs. 56½ lakhs which has been fully invested in the Government of India securities. This contribution will, on the assumption of accumulation at 6 per cent compound interest, be sufficient for repaying a debt of one crore of rupees. As some of the capital works have not proved remunerative, the debt contracted for financing them has necessarily to be treated as unproductive and the burden of repaying it must be borne by the revenue. The total amount of the Public Debt was Rs. 3½ crores and its balance at the end of 1924-25 stood reduced to Rs. 194 lakhs, after allowing for accumulating sinking funds already provided for.

The Sterling Debenture Loan.—The question of utilising for capital purposes the interest on our Railway Sterling Loan Sinking Fund, which was under discussion with the Secretary of State for India, has, as I stated in my last Address to the Assembly, been decided and in accordance with the decision, the sum received last year was about Rs. 4¾ lakhs.

LARGER PROBLEMS.

I will now turn to some of the larger questions of

general public importance and briefly indicate the action that has been taken by Government during the year under review in respect of each of them. I have no additional facts to report in connection with our representations relating to the Subsidy, besides those that have already been placed before this Assembly in my Budget Speech of June last. As regards customs, and the question of joint deliberations in matters of common interest, these are still the subjects of correspondence and no further announcement, therefore, can be made now on these matters.

Tank Restoration and Maintenance.

The total atchkat irrigated by the Mysore tanks is not less than 500,000 acres and the revenue derived is about Rs. 33 lakhs. The vital interests of the agriculturists are closely connected with the tank problem on the whole and taking into consideration the present situation which was explained by me in detail at the Budget Session of the Legislative Council last June, the time has now arrived to take determined, bold and energetic measures to meet it.

As there are about 14,000 minor tanks and 700 major tanks still to be restored, and assuming that the average cost for restoring a minor tank is Rs. 1,000 and for a major tank, Rs. 10,000 the total cost of restoration of all the tanks may roughly amount to Rs. 210 lakhs and if the restoration has to be completed within the next twenty years, it seems to me that an additional grant of at least Rs. 5 lakhs a year will have to be made to ensure a steady progress. Grants will also be necessary for increasing the capacity of the existing tanks and for building new tanks in regard to which there are many applications. Therefore, the total grant that may be required for the maintenance, restoration and development of tanks in the State may come to about Rs. 10 lakhs a year, which represents in fact 33 per cent of the revenue derived from this source annually. Owing to the financial stringency during the past few years—there were, besides, other difficulties—it has not been possible to make any very large grants but the administrative machinery has now been improved, new legislation has been introduced and it is now a question of setting up a suitable organisation, which can only be done when the money for the additional grants is forthcoming:

As regards the maintenance of tanks, a note will be placed before this Assembly for discussion, pointing out the defects and the remedies suggested by the Government. As a preliminary to further action, it is absolutely necessary to start a Tank Survey for the whole State. The matter is under the consideration of Government.

Recruitment.

According to the statistics collected and placed before the Miller Committee, the percentage of members of backward communities in Government service in all departments on 30th June 1918 was 30·4. Since the inception of the Central Recruitment Board in June 1921 up to the end of June 1925, the total number of appointments reported to have been made is 2,410 of which 1,031 have been given to Brahmins and the rest to members of backward communities, thus raising the percentage of backward communities to 39·11.

In December 1923, the rules regarding the advertisement and filling up of vacancies were systematised in the light of experience gained. According to the existing system, the Central Recruitment Board has the opportunity of examining every new appointment made in permanent vacancies as well as in vacancies lasting for more than four months and bringing to the notice of Government all irregular appointments.

In this connection, I should like to make a few observations as regards the general question of unemployment. The problem is not peculiar to the Mysore State. Since the Mysore University was started, it has turned out 85 M.A.'s, 963 B.A.'s and 197 B.Sc.'s. According to the statistics of the Recruitment Board, no less than 405 graduates, and 517 candidates with under-graduate qualifications and 2,708 S.S.L.C.'s applied for Government service and failed to secure any post. The total number of appointments in all grades in the State service is about 20,000, of which the appointments on a pay of above Rs. 100 are 1,000 and the rest are those carrying a salary of Rs. 15 and above up to Rs. 100.

The percentage of school-going population who now come up for the higher grades of education is increasing gradually year to year. All our high schools are over-crowded and split up into innumerable sections. The middle schools are filled to overflowing, and as regards primary schools, Government cannot open them as fast as is neces-

sary according to the demands of the people. According to present policy, general education is only a passport to Government service, the Lower Secondary being the lowest qualification prescribed for recruitment. The inevitable result is that all those who are qualified according to certain prescribed standards, knock at the door of Government for employment and the majority of them cannot be absorbed as the scope is limited. That is the problem of unemployment. The students who pass out according to the several standards of qualification prescribed and seek employment from the Lower Secondary upwards, are not trained, according to the system of education given in our public institutions, for any other work. The superior appointments in respect of which the system of direct recruitment is gradually being introduced with a view to enlist a better type of men with a higher mental outlook and equipment are very few in number and these as well as the competitive examination for the Civil Service and the nomination supplementing the recruitment to that service can absorb but a few of the very best that come out of our University, after obtaining their degrees. In my speech at the last Economic Conference I stated:—

“The unemployment problem among the educated middle classes in Mysore is growing in volume and acuteness year after year. A large number of University men are seeking appointments in Government service without any success and are remaining idle at home. The solution depends to a large extent, it seems to me, upon the absorption of this class of young men into the agricultural and commercial activities of the State.”

I find that similar opinions have been expressed recently by publicists like Acharya P. C. Ray in an article on *Education in India—Starving Body and Soul*, and I would commend that article to all interested in the welfare of our younger generation, although it is strongly worded and indulges in the wholesale condemnation of our University educational system and the writer attempts to make out that all young men get University degrees only to enter Government service. It endorses the opinion of the Sadler Commission that the present system is like a soul-destroying machine and concludes with the following observation:—

“What is the use of that education which only manufactures backboneless graduates, which does not

make us acquainted with true manliness and which does not enable us to earn our bread but leaves us in the world of action like so many helpless children? I call upon all the youths of India to take to trade, commerce and industry, because on the solution of this bread-problem depends the very existence of the nation. . . ."

The problem is a serious one. There is undoubtedly a keen desire in rural parts now for English being taught and there is also the patriotic movement set on foot in recent years to make the vernacular the medium of correspondence in all Government offices of the State. The position appears to me to be somewhat contradictory. If English education is spread, what are the young men to do who go up to the higher grades of education later, when, for the requirements of Government offices, a vernacular and Lower Secondary candidate is considered qualified? To him, this kind of employment, after all, opens a career which is blocked within a few years of admission because such a qualification does not entitle the holder to promotion beyond a certain rate of pay. Going back on the policy of spreading University education is unthinkable although by re-modelling it, providing for vocational and technological courses in addition to research, proper training may be given to educate young men to enable them to seek employment not in the stereotyped sphere of Government work but in various trades and industries and commerce and agriculture. To what extent, therefore, can Government relieve the situation of unemployment is the problem. After all, in the course of the past 4½ years the total number of appointments made by Government through the Recruitment Board came only to 2,410. When we compare these with the total number of applications which came to 28,000 it is pitiful to imagine the distress, the disappointment and the hardship that these poor, unfortunate candidates may now be labouring under, if, during the whole period of their educational career, their one object was to seek a Government appointment. It appears to me, therefore, that the sooner our educated young men turn their heads away from Government service and not mould themselves in a form and in a fashion which will fit one and all of them to any kind of Government work in the subordinate ranks, the better it will be for the country. Every young man at a certain stage of his educational career must make up his mind as to what he is going to

do and what profession or career he is going to pursue. If he cannot make up his mind, his parent should do that for him and when one particular course is chosen whether it is commercial or industrial or engineering or professional, *e.g.*, medical or law, mining or arts and crafts, it is better that that course is adhered to. For, then, there will be greater chances of employment as the field is wider and will become more so in the future. It would be useful, therefore, in my opinion, to make a compulsory rule to record statistics as to the intentions of students, say, when they enter the IV Form, and it would be the duty of the State to provide such courses either in the vocational or in the technological sides of education to meet the demand in good time when they come up to the S.S.L.C. standard.

For the present, the hands of Government are tied in several directions and they cannot take any initiative to relieve the situation caused by unemployment. This can best be solved by non-official public opinion. Possibilities outside the limits of Government employment have to be discovered and exploited. Agricultural farms or colonies, mining and prospecting, development of smaller industries, development of trade, etc., are directions in which our educated young men could profitably be employed. Government are considering the question of an Employment Bureau to bring trained men into touch with likely opportunities for employment, but a general scheme of vocational training in the three grades of education has to be further developed before the problem of unemployment can be satisfactorily solved. But even then there is no guarantee that young men will follow these courses when Government provide for them. So far back as 1852, proposals made for the creation of courses in High Schools in British India intended to fit youths for commercial, non-literary pursuits, failed. A similar fate followed further efforts in the same direction in 1902. If Mysore is to make bold efforts, past experience elsewhere should be a warning, and the suggestion of a discriminating selection of courses at an early stage appears to me to be a safe remedy. But mere provision of courses for the training of young men to make them fit for other walks of life than Government service will not itself solve the problem unless Government also create opportunities which are now lacking for the employment of such trained young men in the country, and this they have to do by a more vigorous policy of encouragement

of industries and development of the material resources of the State. Secondly, it is also necessary that the mental outlook of the younger generation should undergo a change so that a vocational career outside Government service may appear to be as attractive and as respectable. This change of outlook can only be brought about by the development of a healthy public opinion, and a true appreciation of the dignity of labour specially amongst the classes which have hitherto exclusively followed the learned professions.

Revenue Audit and Improvement of District Administration.

In my last Dasara Address, I made a reference to a new scheme to institute a system of revenue audit and an inspection of office systems with a view to look into defects and suggest remedies. The appointment of an Inspector of Office Systems and Officer-in-charge of Revenue Audit, with a small staff was sanctioned in October last year. This Special Officer joined duty in the early part of January. A carefully arranged programme was fixed. The officer was required to examine the present arrangement for safeguarding the interests of Government and the major revenues, namely, Land Revenue, Excise and Income-tax. He has up to date inspected 26 offices and has submitted 45 notes and reports. The majority of them have been disposed of and as a result of the special investigation and audit, several cases of loss of revenue or omission to include important items have so far been brought to notice. A careful study of the system of Land Revenue accounts and registers has also been made with the result that a revised scheme has been introduced with effect from the 1st July 1925. The work in the District Offices has been simplified by the reduction and curtailment of several registers and returns and a simplified system of correspondence has been introduced, tentatively, in Bangalore and Hassan.

Audit Arrangements for Electrical and Education Departments.

The existing system of centralised accounts and audit was found unsuitable in the case of a commercial department like the Electrical and of the Education Department the expenditure of which has largely increased owing to the development of its activities. These departments require, in the interests of efficient audit and financial

administration, to be properly equipped with a trained self-contained staff to enable them to discharge their financial responsibilities, and a system of decentralisation has accordingly been devised which, while it provides for more efficient internal audit, does not impair the control by the independent audit agency of the Comptroller. The new system has been introduced in the Education and the Electric Departments and Government have every hope that there will be a ready and effective check on all kinds of expenditure under this scheme which also will provide adequate financial assistance and advice to the Inspector-General of Education and the Chief Electrical Engineer respectively.

Food Production.

The question of increasing the food production was discussed by me in my Dasara Address of 1922 and again at the last Economic Conference in June 1925. From the figures relating to the cropped area and the area under occupation, little or no improvement is noticeable during the last decade although within the last two years nearly 52,000 acres of Amrut Mahal Kaval and date reserve lands have been taken up for cultivation and Government have issued special orders for the simplification of the rules for the grant of lands and darkhasts and are doing their utmost also to expedite the disposal of all darkhasts. During the period of distress, very large sums of money have been granted to the raiyats for sinking wells, for the purchase of ploughing cattle and improving their existing holdings. The continuous bad seasons have impoverished the poorer classes of agriculturists in the maidan districts considerably, and the havoc caused by the floods in certain portions of the malnad has also contributed to the same result.

This is largely an economic question and the matter has again been placed before the Board of Agriculture of the Economic Conference and their recommendations are awaited. In the meantime, Government have appointed a committee to go into the detailed recommendations of the Special Economic Survey Officer under the Malnad Improvement Scheme and, as many of the problems relating to agriculture are common to all parts of the State, Government hope that the deliberations of the committee may help in affording a solution to this all-important problem.

Veterinary Aid.

The mainstay of the agriculturist is his agricultural

stock and nothing was more patent in support of this truism than the loss that was sustained by the agriculturists as a whole during the distress season of the past two years. Government introduced elaborate relief measures for the supply of fodder in several centres and also organised a campaign for the removal of cattle from the dry maidan districts to the malnad. On account of these measures they have sustained some loss but they have the satisfaction of knowing that several thousands of cattle were actually saved by the operations thus undertaken. As a normal activity of the Agricultural Department, the provision of veterinary aid and inoculation are most important, and it is satisfactory to note that the expenditure under these heads has increased from Rs. 75,000 in 1920-21 to Rs. 2,32,400 in the year 1924-25. The number of veterinary institutions has also increased during these years from 20 to 27. It may be of interest to this Assembly to know that in view of the serious outbreak of Rinderpest throughout the State, Government have sanctioned an additional grant of Rs. 1,50,300 this year for the purchase of serum alone. The re-organisation of the Veterinary Department, which is a matter of urgent necessity, is now under the consideration of Government.

Malnad Improvement Scheme.

In October last year, a comprehensive Government Order was issued reviewing the work under the scheme for the past several years and indicating the lines of further advance. Provision was made for a larger number of dispensaries and hospitals and for female medical aid in the malnad districts. The survey has been commenced with a view to collect data for the improvement of inter-taluk and inter-village communications in the malnad and to draw up a programme of development for a period of three years. A general economic survey of the tract was conducted and as already stated by me, Government have now appointed a representative committee of officials and non-officials with the Second Member of Council as President, to consider the report of the Special Officer who conducted this survey.

For the improvement of education in the malnad, a High School was sanctioned in Tirthahalli and a considerable amount of activity was shown by District Boards in providing drinking water wells and village roads, in the three malnad districts of Shimoga, Hassan and Kadur. As

against the Budget allotment of Rs. 1,03,000 for malnad improvement, a sum of only Rs. 52,000, was spent in 1924-25. This low expenditure is due to the fact that new dispensaries for extending female medical aid in the malnad could not be opened during the year for want of lady medical officers. An enhanced grant of Rs. 1,20,000 has been provided in the Budget of the current year. The question of starting a Land Mortgage Bank as an experimental measure, is also under consideration in connection with the report of the Special Economic Survey Officer.

*Future Development Policy and the Question of
Financing Development Works.*

Public expenditure falls under three main heads, viz., (1) cost of administration proper, (2) outlay on productive works, and (3) expenditure on developments. The cost of ordinary administration should be met mainly from the proceeds of taxation, and to some extent from the stable items of non-tax revenues. The outlay on productive works should ordinarily be met from borrowed funds. The expenditure on development works should not be financed from loans, if they cannot be expected to pay the full return on the money invested on them.

At present the difficulties of financing development works are great owing to the position of barely balanced budgets, but the need for undertaking them in the permanent interests of the country has now become most urgent.

I now propose to consider what are the most important urgent development works that should be undertaken in the future. The project which claims the foremost attention is the irrigational side of the Krishnarajasagara Works. Under the agreement with the Government of Madras, we have the right to extend irrigation up to 235,000 acres. Now that the Krishnarajasagara Dam has been raised, a large quantity of water is actually impounded in the Reservoir and is awaiting to be used for irrigation purposes. The action to be taken by Government will depend upon their ability to provide funds for carrying out the development works under this project. It will be a long time before all the works could be executed and pay an adequate return because over two lakhs of acres have to be brought under cultivation, and this requires time for development. Adequate financial returns in the near future should not, however, be the sole

test in the case of large irrigational projects of this nature, but care has to be taken to see that the means adopted for financing such projects are such as not to unfavourably affect the ordinary administration of the country. It is necessary to make a serious effort in the immediate future to start development works under this project as early as possible.

On the rough data available, it is estimated that a sum of Rs. 5 crores will be required to complete the projects and if a contribution of Rs. 100 per acre is expected from the lands to be irrigated, the net expenditure on the projects may be less. It has, however, to be noted that the development works under the Krishnarajasagara will benefit only the Mysore District, but the irrigational prosperity of all the districts should be the aim of Government and other storage reservoirs that have been investigated or estimated for should also be included in our development programme. The Anjanapur Project in the Shimoga District is an instance of this kind.

As already stated in the previous section of this Address, our tank problems have reached an acute stage and something has to be done immediately to tackle them in an effective and comprehensive manner, and a sum of Rs. 10 lakhs per annum, as estimated by me, will have to be considered as a legitimate demand under this head. The increase in the area of wet lands under the tanks during the last 15 years is only 46,000 acres, which, taking the population of the State, its extent, and the total number of tanks is not sufficient. Besides, many tanks have silted up and lands under them cannot now grow wet crops. In my speech on the resolution regarding minor tanks restoration at the Legislative Council, I stated as follows:—

“Government are convinced that the welfare of the raiyat population which no doubt is retarded to a large extent by the delay which has taken place during the last half a century in this important matter, depends greatly on the quick restoration of minor tanks.”

From the rough calculations that I have already referred to, a sum of Rs. 10 lakhs will be required every year for the next 20 years at least, and this allotment may satisfactorily provide for all the urgent needs of the country in regard to tank irrigation in the State. The cost of restoration of tanks is not productive outlay in the strict technical sense of the term. Such restoration only

safeguards the existing irrigation interests¹ but will not bring in any additional revenue. The expenditure, therefore, cannot be met from borrowed funds. The cost of restoration of tanks should be properly regarded as expenditure on the insurance of land revenue and should as such, be a first charge on the revenue from wet and garden lands. If possible, we should even form a depreciation fund out of such revenue; but this, in the present state of our finances, is impossible.

There are other demands of a capital nature, *viz.*, the construction of bridges over rivers and linking up communications which are now broken for want of bridges. As the Local Funds General has been abolished and the Fund transferred to District Boards, there is little or no progress in this direction for several years. It is necessary that Government should provide for through communication facilities wherever they are now absent for want of bridges.

There is again an insistent demand for larger grants for malnad improvement, and if at least 200 miles of railway are opened up in the malnad tract, I think a good deal of the disabilities under which malnad is now labouring will disappear, for only then will capital and labour be attracted to this tract. Railway expansion is also a desideratum in the south of Mysore to link up our system with the populous parts of Southern India. For the development of our forest resources, such as, communications, buildings and plantations, capital works are necessary. Strictly speaking, all such outlay should be met from the annual revenues of the Forest Department but under the present financial conditions, it is not possible to spare any portion of the revenues for improving the forest wealth of the country.

Agriculture is the main industry of the people and for the development of agriculture, it is necessary to incur outright expenditure in many directions and this department has not had much chance of developing, owing to financial stringency. In our future development programme, we should include annual grants according to a well-arranged plan for this department also.

In addition to the above, we have projects and schemes such as the Bhatkal Harbour and the harnessing of the Gersoppa Falls already in the stages of investigation and discussion. It may be remembered that in 1919, during my officiating Dewanship, the Government constituted two

separate funds: (1) the Industrial Investment Fund, to be utilised solely for granting financial assistance by way of loans for pioneering industries, etc., and (2) the Industrial Development Fund for experimental work. The first was to be started with an initial grant of Rs. 5 lakhs and an annual provision of Rs. 3 lakhs, and the second was to have an annual provision of Rs. 1½ lakhs. This scheme of industrial finance which has not been in operation for the past few years owing to financial stringency will have to be revived and the estimate of expenditure as contemplated therein included in our comprehensive development programme.

Lastly, a great step has been recently taken by Government towards the rural re-construction problem. Under this scheme, Government will be under obligation to give grants to village panchayats and improve village sanitation, village communications and village water supply. Rs. 5 lakhs per annum under all these heads is not an excessive estimate. I have not included increased educational expenditure and University developments in the above development programme. These have to be met from the growth of our annual revenues.

Under all these heads, the demand, as roughly indicated by me, would come to nearly Rs. 10 crores for the next 25 or 30 years.

A period of 30 years is by no means too long for carrying out a programme of this magnitude, but when projects costing large sums of money are undertaken, the *sine qua non* for their continuous progress and completion within the allotted time is a guarantee of grants required year after year. But whichever way the programme is prepared, I consider that it is necessary at the present juncture, to look ahead in certain directions and also to anticipate events. The problem is how to find this very large amount of about Rs. 10 crores required for undertaking this programme and it is now under the consideration of Government. If it is approached in the proper way and if the necessary safeguards are provided for, I am confident that ways and means can be devised to solve this great problem in a satisfactory manner and thus ensure adequate and continuous attention to development works. The bulk of the resources that can be made available should be utilised for the building up of works capable of rendering service in satisfying the primary wants of the people and in the list of these wants, food production,

drinking water and transport facilities must necessarily occupy the foremost place. The satisfaction of these wants is the best means of promoting the general advancement of the State and this is also bound to increase the taxable capacity of the people on which the public treasury must ultimately rely for its annual income.

Conclusion.

Gentlemen, I have done. I hope that the rapid survey of our present position with reference to the results of the past year's administration and the lines of advance and developments I have indicated just now will enable you to select a correct view-point from which you can discuss all questions and offer your advice and criticisms. No doubt there are rocks and shoals to be carefully avoided ; but the land of promise which betokens wealth and prosperity is well in view, and at no distant date will Mysore reach the goal which the benevolent rule of His Highness the Maharaja had set before it from the very commencement of his reign and thus take an honourable place in the federation of peoples and States that will come into being with the evolution of the progress of India as a whole in the fullness of time.

The Kannada translation of the Address was read by Mr. K. H. Ramiah, B.A., Bar.-at-Law, Registrar of Co-operative Societies.

The next item on the Agenda was replies to interpellations, but as these were not ready, the Dewan-President informed the House that they would be placed in the hands of the members at 4 P.M., and that supplementary questions could be taken up at 12 noon the next day. Government business was thereupon taken up, the first item being the consideration of the following:—

Statement of the General Principles of the Amendments, proposed to the Land Acquisition Regulation, copies of which had been circulated to the members.

“The British Indian Land Acquisition Act of 1894 on which the Mysore Land Acquisition Regulation, 1894, was based has been amended by Act XXXVIII of 1923, and the question of amending the Mysore Regulation on similar lines was urged on the attention of Government at the Dasara Representative Assembly of 1923.

"The chief feature of the amendment proposed is to provide for objections, if any, in respect of proposals for acquisition of land from persons interested, being received and considered by Government, before a declaration is made that the land is required for a public purpose. The advantage of the addition of such a provision is quite obvious. A period of thirty days will be allowed for the purpose, and the Deputy Commissioner will hear the party or his pleader and submit a report to Government, before Government decide on the acquisition of the land. A new section will be added to this effect as Section 5 A and other incidental verbal changes made in other sections.

"Section 18 is also proposed to be made more explicit by making it obligatory on the part of the Deputy Commissioner to make a reference to the Civil Court on an application by a person not accepting an award, as this section, as at present worded, has been held to leave the discretion to the Deputy Commissioner to make the reference or not.

The FIRST MEMBER OF COUNCIL in explaining the salient features of the proposed amendments contained in the above statement, said:—

Under the existing Regulation, Section 4 stands as follows:—

"Whenever it appears to the Government of Mysore that land in any locality is likely to be needed for any public purpose, a notification to that effect shall be published in the official gazette and the Deputy Commissioner shall cause a public notice of the substance of such notification to be given at convenient places in such locality."

Section 6 runs as follows:—

"Subject to the provisions of Part III of this Regulation, whenever it appears to the Government of Mysore that any particular land is needed for a public purpose, or for a company, a declaration shall be made to that effect under the signature of a Secretary to such Government or of some officer duly authorised to certify its orders. . . . The said declaration shall be conclusive evidence that the land is needed for a public purpose, or for a company, as the case may be; and after making such a declaration, the Government of Mysore may acquire the land in the manner hereinafter appearing."

These provisions operate prejudicially to the interests of the people inasmuch as there is no room for objec-

tions being invited and considered. The chief feature of the amendment proposed is to provide for objections, if any, in respect of proposals for acquisition of land, from persons interested, being received and considered by Government before a declaration is made that the land is required for a public purpose. The advantage of the addition of such a provision is quite obvious. A period of 30 days will be allowed for the purpose, and the Deputy Commissioner will hear the party or his pleader and submit a report to Government, before Government decide on the acquisition of the land. A new section will be added to this effect as Section 5 A and other incidental verbal changes made in other sections.

Section 18 is also proposed to be made more explicit by making it obligatory on the part of the Deputy Commissioner to make a reference to the Civil Court on an application by a person not accepting an award, as this section, as at present worded, has been held to leave the discretion to the Deputy Commissioner to make the reference or not.

MR. VEMAREDDY said that the proposed amendments were very important calculated as they were, to afford all reasonable opportunity to the people, before their lands were acquired by Government. In these circumstances, he supported the amendment.

MR. G. PARAMASIVIAH added that this was a matter which the people themselves should have pressed and it was a matter for gratification that Government themselves had come forward with it.

MR. ABDUL NABI thought that the period of 30 days proposed in the Bill was not sufficient and that it might be raised to 60 days as the people were slow in preferring objections.

MR. D. S. HANUMANTHA RAO thought that the period fixed in the amendment was quite sufficient, but that it should count from the date of service of the notice on the actual holder of the land.

The FIRST MEMBER OF COUNCIL explained that the notice would be published in the locality to enable all people interested in the land to come forward and prefer objections if any. In these circumstances, he did not think that anything more was necessary.

MR. ANANTHAIYA suggested that provision should be made for giving notice to the person who would be primarily affected by the acquisition of the lands.

The FIRST MEMBER OF COUNCIL pointed out that these were matters of detail which might perhaps be considered when framing the rules.

MR. GOPALASWAMI IYER said that the proposal to fix a period of 30 days to prefer objections was an improvement over the existing Regulation. He however thought that provision should also be made for cancelling the acquisition proceedings, if within six months, the compensation amount was not actually paid to the party.

MR. VENKATASAMIAH thought that provision should be made for the publication of the first notification as well as the final order in the Gazette. Under the existing practice, the notification was published only after Government passed final orders. Even the proposal itself should be notified by Government.

The FIRST MEMBER OF COUNCIL replied that under the existing Regulation, the notification ought to be published and no change was proposed to be made now.

The DEWAN said that it was a matter of detail which could be considered later.

The amendments were passed by the House unanimously.

The next item of Government business was the consideration of the following:—

Statement of the Principles of the Election Offences and Inquiries Bill, copies of which had been circulated to the members:—

Statement.

“The Reforms Committee recommended the adoption of the British Indian Act XXXIX of 1920 (Indian Election Offences and Inquiries Act).

“A Bill has accordingly been drafted and it consists of two parts.

“Part I declares certain transactions connected with elections as offences under the Indian Penal Code.

“They are (1) bribery, (2) undue influence, (3) personation, (4) making a false statement in connection with an election, (5) incurring unauthorised expenditure for the purpose of procuring or promoting the election of a candidate and (6) failure to keep election accounts where such are required by law.

“Part II provides for the inquiry into disputes relating to elections to the Legislative Council. The District Judge is invested with the powers of a Civil Court for the

purpose of such inquiry, such as enforcing attendance of witnesses and production of documents. Power is also taken to appoint, if necessary, commissioners for inquiry in place of the District Judge.

"Provision is also made for disqualifying persons convicted of the offence of bribery or undue influence in connection with an election, for five years, from holding a judicial office or other offices to which appointment is by election and from being a member of a local authority. Government may, however, exempt any such person from any such disqualification.

The FIRST MEMBER OF COUNCIL explained the above statement to the House.

MR. MALALI VENKATRAMIAH requested that the subject might be taken up for special discussion on some other day during the Session, as it was a very important one, and as details of offences and punishments therefor were not given in detail.

The DEWAN observed that the subject should be discussed on the day for which it was posted.

MR. BYANNA said that when a reference was made during the last Birthday Session to some irregularities in the election, Government promised to investigate into the matter. He was of opinion that the proposed Bill had not come a day too soon. Some safeguards for preventing such corrupt practices in elections were necessary especially in view of the fact that within the next one year, elections would fall due. He therefore supported the Bill.

MR. MAHOMED ABBAS KHAN was of opinion that the present rules were more than sufficient to deal with all the irregularities and did not require any change. He was of opinion that it was not right to treat the people who had erred in the cause of attempting to get an opportunity to serve the country, like ordinary criminals, and convict them. It was also not consistent with the dignity of the House to accept such principles. The rules provided for setting aside the election if any irregularities were proved and ordering a fresh one. That would meet the requirements of the situation. People canvassed for months for votes and the setting aside of the election secured at such sacrifice, was by itself a sufficient punishment to erring candidates. There was no need for such harsh rules. There was already some want of concord between the different sections of the people and the Bill proposed would still further increase the differences between them.

The FIRST MEMBER OF COUNCIL pointed out that under the existing rules, there was no provision for punishing people who had recourse to corrupt practices. He did not consider that setting aside an election was a punishment. Some provision was necessary to prevent a person whose election was once set aside for such bad practices from standing for election for a second time. If once the person was convicted for his corrupt actions, he should be debarred permanently from standing for any election.

MR. M. S. NARASINGA RAO stated that these penal provisions would surely come in the way of sincere workers standing for election to serve the country, conditions in Mysore were such that there was hardly any election without corrupt practices. A law like the one proposed would bring people into trouble. For this reason, he was not in favour of the Bill.

MESSRS. VEMA REDDY and BORANNA were of opinion that if the object of Government, *viz.*, that every one should have some scope for election, should be attained, there should be no restrictions of any kind. People were not well educated and therefore, they did not know their rights and required a lot of persuasion to exercise them. They would further hesitate to exercise their rights and privileges when they came to know that there was any penal provision against any irregularities. Government was free to frame such rules when really necessary. Constitutional Reforms were granted only very recently and no cases of gross irregularities had been brought to the notice of Government. For these reasons, they were not in favour of the Bill.

MR. LINGE GOWDA said that all the restrictions related only to candidates standing for election and that there was nothing to prevent irregularities on the part of polling officers and suggested that some provision in that behalf was also necessary.

The DEWAN said that that was not the point for discussion.

MR. BHAVIKATTE CHENNABASAPPA urged that a measure of the kind was very necessary. He cited, as an instance, his own election, when for people who were absent, others came and voted and the voting list contained names of even dead people, for whom others voted.

MESSRS. SRINIVASA IYENGAR of Yelandur and ABDUL NABI were of opinion that some penal provision was necessary to prevent corruption. The rules when adopted

would not in any way act as a hardship in the case of honest people as they would have no fear of punishment. They therefore supported the Bill. Mr. Abdul Nabi also suggested that the elections to the Representative Assembly should also be brought under the purview of Part 2.

MR. PARAMASIVIAH said that once the election of any individual was set aside, the electorate would not elect him for a second time and the person himself would not stand for election again. There was therefore no fear of the person standing for election for a second time. The Indian Penal Code provided for all such irregularities and there was no need for special rules to deal with such cases. The masses were yet uneducated and malpractices, if any, would naturally disappear when people became educated and knew their own rights and responsibilities. Even in British India, there were not many cases of irregularities. In the Mysore State at any rate, there was no need to introduce the rules in force in British India. That the neighbouring Madras Presidency had passed such rules was no reason why the Mysore State should also adopt them.

The DEWAN replied that there was no reflection on the Mysore people that they were corrupt. There was a recommendation by the Seal Committee to the effect that some legislation on the lines of the British Indian Election Offences Bill might be introduced in the Mysore State and Government wanted to have the views of this House on the point. It was true that penal provisions were often dangerous. So, if the sense of the Assembly was that there was no urgent need for such penal provisions and that the introduction of the proposed measure might be postponed, Government would have no objection to drop the question.

The Bill was put to vote and lost, 54 voting for and 92 against.

The third item of Government business was the discussion of the following :—

Statement of the General Principles of the Bill to amend the Land Revenue Code, copies of which had been circulated to the members.—

Statement

“ Under the existing law, application by a private individual to set aside a sale of immovable property held for the recovery of the arrears of land revenue may be made only on the ground of some material irregularity or mistake

or fraud. The Deputy Commissioner, may, however, cancel sales in his discretion under Section 185 of the Land Revenue Code, although no application is made to him or on grounds other than those contained in any applications that may have been made to him. Although Section 185 confers wide powers of discretion to the Deputy Commissioner in the matter of confirmation or cancellation of revenue sales, experience has shown that the discretion has not often been used in a liberal spirit. It is proposed, therefore, to amend the law on the lines of the provisions in the Civil Procedure Code. It is proposed to provide that the sales of land for arrears of revenue shall be cancelled, if any person claiming interest in the land applies within 30 days of the date of sale for its cancellation after depositing 5 per cent of the purchase money and also the arrears for which the land was sold together with interest thereon and the expenses of attachment and sale. If more than one applicant comes forward, the application of the first depositor is proposed to be accepted."

The FIRST MEMBER OF COUNCIL explained to the House that under the existing law, application by a private individual to set aside a sale of immovable property held for the recovery of the arrears of land revenue might be made only on the ground of some material irregularity or mistake or fraud. The Deputy Commissioner, might, however, cancel a revenue sale at his discretion under Section 185 of the Land Revenue Code, although no application was made to him or on grounds other than those contained in any applications that might have been made to him. Although Section 185 conferred wide powers of discretion to the Deputy Commissioner in the matter of confirmation or cancellation of revenue sales, experience showed that the discretion was not often used in a liberal spirit. It was therefore proposed to amend the law on the lines of the provisions in the Civil Procedure Code, so as to convert the discretionary power allowed to the Deputy Commissioner into an obligatory duty in certain cases. It was proposed to provide that the sales of land for arrears of revenue should be cancelled if any person claiming interest in the land applied within 30 days of the date of sale for its cancellation after depositing 5 per cent of the purchase money and also the arrears for which the land was sold, together with interest thereon and the expenses of attachment and sale. If more than one applicant came forward, the application of the first depositor was proposed to be accepted.

This subject was being brought up in the Representative Assembly for a number of years. Government however did not accept the suggestions of the members then, in view of the opinion of several officers that if the suggestion was accepted, revenue sales would have to be cancelled in many cases and people would lose faith in such sales. But the question was again brought up at the Legislative Council and the members emphasised the need for the amendments on the lines of the amendments passed in Madras. Government then accepted the suggestions. Because the Assembly had considered the question so often, Government did not wish to legislate in this behalf without letting the Assembly know the same. Under these circumstances, the opinion of the members was solicited regarding the general principle of the Bill brought forward to amend the Land Revenue Code.

The proposed amendments were thereupon passed unanimously.

In this connection, Mr. KARNIK KRISHNAMURTHI RAO brought to notice that in cases of cancellation of revenue sales, the purchase money was not returned to the parties till long after such cancellation. He requested provision to be made empowering an officer ordering cancellation to order a refund at the same time.

MR. VENKATASAMIAH represented that the 30 days' limit allowed for depositing the arrears of revenue, etc., was not sufficient.

The DEWAN observed that this was stretching the point too far, and the amendments under consideration were taken up by Government only in order to accede to the wishes of the people.

The House rose for lunch at 3 P.M. and reassembled at 3-30 P.M.

The fourth item of Government business was the consideration of—

The Statement of the general principles of the amendments proposed to the Income Tax Regulation of 1923, copies of which had already been circulated to the members.—

Statement.

“It is proposed to amend the Mysore Income Tax Regulation of 1923, in respect of the following points:—

1. (a) Assessment of associations, clubs, etc., which are neither companies nor firms;

(b) Revision of the phraseology of Section 4 of the Regulation ;

(c) Revision of the phraseology of Section 25 of the Regulation ;

(d) Adding a proviso to Section 56 of the Regulation explaining the method of assessment of partners of a registered firm individually to super-tax, where there has been a change in the constitution of the firm ;

(e) Fixing a time limit for presenting applications to the Chief Court to require the Commissioner to state a case and to refer it [Section 66 (3)].

2. The present Regulation does not expressly provide for the assessment of income, profits or gains of an association or club, which is neither a company, nor a firm, nor a Hindu undivided family. This is an omission as it was intended to tax associations or clubs. It is proposed to make necessary provision to tax such institutions.

3. The amendment of Sections 4 and 25 involves no question of general principle. The existing phraseology has been found to be defective and so, it is proposed to revise it so as to make the meaning clear.

4. The amendment of Section 56 of the Regulation is proposed with a view to avoid difficulties in assessing the partners of a registered firm individually to super-tax. The practice hitherto has been to levy super-tax on the partners of registered firms according to their share at the time of assessment in the profits of the firm, in the preceding year and it is now proposed to legalise this practice.

5. Under Section 66 (2) an assessee may apply to the Commissioner of Income Tax for a reference being made to the Chief Court on any point of law. If the Commissioner refuses to make a reference on the ground that no point of law is involved, the assessee may himself apply to the Chief Court to require the Commissioner under Section 66 (3) to state the case to it. At present, no time limit is provided in the Regulation within which, the assessee has to make such application to the Chief Court. A time limit of 6 months from the date of Commissioner's notice of refusal is proposed to be fixed."

The SECOND MEMBER OF COUNCIL explained the above statement to the House.

MR. S. KRISHNASWAMI RAO wanted to know whether social clubs, such as the Century Club, the Cosmopolitan Club and the like were included in the category of "clubs"

liable to be taxed. He said that such clubs which might with the aid of large donations show a surplus income at the end of the year should be excluded from taxation. Messrs. Subba Rao, Narasinga Rao and a few others agreed with the above view.

The SECOND MEMBER OF COUNCIL explained that it was all a question of how the balance was going to be treated. If it was meant to be devoted for charitable or educational or such other purposes, it would not come under the purview of taxation according to the Regulation.

MR. C. B. SRINIVASA RAO failed to see the object with which these amendments were brought before the House. If it were merely because such amendments were introduced in British India he thought that unless the reasons which actuated the British Government to introduce them were known, the House would not be in a position to deal with them adequately. It was a fundamental principle of income-tax that the levy should be on profits, such as in trade, for which there should be two parties. He failed to see how there could be two such parties in social clubs and how their surplus could be treated as profit assessed to income-tax. He drew the attention of the House to the fact that the dividends given by the Co-operative Societies were not subjected to income-tax for the simple reason that they were not profits properly so called. He added that the income of a social club was made up mainly of subscriptions from the members which could not under any sense be treated as taxable income. For these reasons, he thought that the word "club" employed in the Regulation should be properly defined so as to exclude the social clubs from the purview of the measure.

The SECOND MEMBER OF COUNCIL replied that it was always open to the club to treat its surplus in such a way as to bring it under the exception mentioned in the Regulation.

He also pointed out that there was one other question which should be specifically mentioned by him in connection with these amendments. Under the existing Regulation, no limitation had been fixed within which an assessee might approach the Chief Court on any point of law. It was proposed to fix a time limit of six months for this purpose. He said that, that was a great advantage over the existing Regulation.

MR. C. B. SRINIVASA RAO replied that there was no doubt some limitation was necessary, but if a time limit

should be fixed at all, then, there should be no need for the deposit of Rs. 100 which is now made obligatory.

MESSRS. PARAMASIVIAH, MAHOMED ABBAS KHAN, USMAN KHAN, D. S. MALLAPPA, AND NITGIRI SANJEEVIAH supported the measure in the course of which, they said that many clubs like the Turf Club were making a lot of money and that it was necessary that surplus income which was not now taxed should be brought under taxable income. In the case of social clubs, they thought that no question of tax would arise as their income was made up only of subscriptions which were not even regularly paid. It was also said that during tournaments, the cricket, football and other clubs were making a lot of money by collecting fees from the spectators and that this amount should not go untaxed. They thought that merely because the clubs got some money, it should not be thought that they would be taxed as sufficient safeguards existed in the Regulation itself for exempting such income.

MR. RAMASWAMI agreed with MR. C. B. SRINIVASA RAO that the income of clubs like the tennis, golf, etc., did not come under profits and that it should not be assessed to income-tax.

The SECOND MEMBER OF COUNCIL pointed out that "charitable purposes" included relief to the poor, education, medical relief and any other object of general public utility and that the instance quoted by the above speaker might fall under any of these objects.

MR. C. SRINIVASA RAO also pressed for a suitable definition of the term "club". He said that it was true that the Regulation would not apply to social clubs to-day, but that there was no guarantee that such clubs would not be brought under the Regulation the next day. He thought that the amendments would unsettle things and that it would discourage the formation of social clubs for public utility. He maintained that such social clubs were not necessarily meant for public utility, but only for the benefit of the members of those particular clubs.

The DEWAS did not think so. He instanced the Civic and Social Progress Association which worked for public utility.

MR. BYANNA thought that social life in Mysore was not sufficiently developed and by passing a Regulation of this kind, it would leave a wrong impression on the minds of outsiders that the promotion of social life in Mysore was at a discount. He therefore opposed the amendments.

MR. VENKATASAMIAH also agreed in this view.

MR. C. SUBBA RAO thought that Mysore could to some extent, improve upon the British Regulation. For instance, he suggested that one or two concrete illustrations might be given beneath the amendments themselves explaining which income derived by the club could be taxed and which not. That would meet the situation.

The SECOND MEMBER OF COUNCIL assured the House that all the points brought to notice in the Assembly would be considered by the Legislative Council when the Bill was introduced there. It was only the general principles that were meant to be discussed in this Assembly and the details might be left for consideration in the other House.

The House accepted the general principles of the amendments.

The fifth item of Government business to be taken up was—

The Statement *re* Bill to further amend the Mysore Civil Courts Regulation I of 1883, copies of which had been circulated to the members.

Statement.

The Mysore Civil Courts Regulation I of 1883 provides for the appointment of only one Judge for a Subordinate Judge's Court and only one Munsiff for a Munsiff's Court and whenever arrears accumulate in such courts, it is found necessary to establish temporarily additional courts with separate establishments. Apart from the cost involved in this arrangement, the District Judge will have to formally transfer suits and proceedings from the permanent to the additional courts and re-transfer them to the permanent courts when the additional courts cease to exist. Complications also arise while executing decrees or orders passed by the additional courts after they are abolished. To obviate these difficulties, it is proposed to amend the Mysore Civil Courts Regulation on the lines on which the Madras Civil Courts Act of 1873 has been recently amended by Act III of 1925. The Government will be empowered to fix and from time to time vary the number of Munsiffs and Subordinate Judges to be appointed to a Munsiff's or Subordinate Judge's Court as the case may be. When more than one Judge is appointed to a Subordinate Judge's Court or a Munsiff's Court, one of them, to be styled the Principal Judge of

the court will be authorised, subject to the general or special orders of the District Judge, to make from time to time such arrangements as he thinks fit for the distribution of the business of the court among the various judges thereof. Each of the Judges, may, however, exercise all or any of the powers conferred on the Court by the Civil Courts Regulation or any other law for the time being in force.

"The pecuniary jurisdiction of the Munsiff which now extends to Rs. 2,500 is also proposed to be raised to Rs. 4,000."

The FIRST MEMBER OF COUNCIL explained the above statement to the House.

MR. C. SUBBA RAO said that if more than one Judge was appointed to a Subordinate Judge's Court or a Munsiff's Court, the additional officer would in a way be subordinate to the permanent Sub-Judge or Munsiff. He was of opinion that one should not be subordinate to the other and that both should be of equal status. He added that under the proposed arrangement, one practical difficulty would be that the permanent officer would transfer all contested cases to the additional officer contenting himself with easier ones.

The FIRST MEMBER OF COUNCIL pointed out that the above argument overlooked the fact that the conduct of the business of the courts was subject to the general or special orders of the District Judge.

MR. MAHOMED ABBAS KHAN had no objection to the first part of the amendment, but as regards the second, he thought that it would not be conducive to the proper administration of civil justice, particularly at the hands of inexperienced Munsiffs, if the pecuniary jurisdiction were raised from Rs. 2,500 to Rs. 4,000. He was for leaving it as at present which was already high.

MR. B. NARASINGA RAO differed from the above view. He said that in the case of immovable property where the value for purposes of suit was fixed at ten times the assessment, the Munsiff could try where the value of the property extended to 16 or 20,000 rupees. While such was the case, he thought that there was no point in Mr. Abbas Khan's objection.

MR. KESAVIAH agreed with this view and thought that it would be more convenient to the litigant public as well as the lawyers, if the pecuniary jurisdiction was extended to as much as in Bombay.

MR. SANJEEVIAH and MR. PARAMASIVIAH opposed the raising of pecuniary jurisdiction to Rs. 4,000.

The FIRST MEMBER OF COUNCIL explained to the House that Mr. Humza Hussain, retired First Member of Council, who had vast judicial experience was of opinion that the pecuniary jurisdiction of Munsiffs might be raised to Rs. 4,000 and the Chief Court was also of the same opinion. The object of the amendment was to give better facilities to the people rather than anything else and that the Government had an open mind in the matter. As remarked by Mr. Narasinga Rao, the Munsiffs were adjudicating the cases in which lands worth Rs. 16 or 17,000 were involved. He added that this pecuniary jurisdiction of the Munsiffs would be raised to Rs. 4,000 only in selected places.

MR. C. B. SRINIVASA RAO saw no objection to the first point. As regards the second point, he was of opinion that the Munsiffs required more relief and that if the pecuniary jurisdiction were raised to Rs. 4,000, the Munsiffs who were already overworked would not be able to dispose of the cases promptly and justly. He said that there was considerable congestion in the Munsiffs' Courts and if jurisdiction were raised, the congestion would further increase. If as represented by him at the last Budget Session, separate Small Cause Courts were established, raising the small cause jurisdiction to Rs. 1,000, much of the congestion in Munsiffs' Courts would be reduced and not till then would there be justification for raising the pecuniary jurisdiction as proposed.

Many other members were of opinion that if the pecuniary jurisdiction were raised, it would add to the already heavy congestion in Munsiffs' Courts and the suits and execution cases which were pending disposal for a long time would be delayed still further.

MR. C. SUBBA RAO brought to the notice of the House that if the pecuniary jurisdiction of the Munsiffs were raised, an inconvenience would arise as to the appeal when the value of the subject-matter was over Rs. 3,000. Appeals could only lie to the Chief Court in such cases, and the parties would lose the right of first appeal, and also the convenience of having it heard in their own division. They will have to go all the way to Bangalore. Further, this would not only increase the work of the Chief Court, but also necessitate another amendment to the Civil Courts Regulation.

Then the general sense of the Assembly was ascertained and the whole House was in favour of the first point. The second point was then put to the vote and lost.

The sixth item of Government business to be taken up was the consideration of—

The Statement *re* amendment of the Code of Criminal Procedure, copies of which had been circulated to the members.—

Statement.

“The Representative Assembly and the Legislative Council have urged upon the attention of Government the desirability of adopting the amendments which the Government of India have made during the past few years in the Code of Criminal Procedure. A Bill has accordingly been prepared incorporating all the changes adopted in British India, excepting those relating to racial distinctions.

“The important changes made by the Bill are noticed below :—

Clause 4.—Places the recognition of the *mukhtears* on a better basis.

Clause 6.—This is intended to meet the case of a requisition from a Police Officer to arrest a man at a distance. The requisition must reveal the offence or other cause for which the arrest is to be made, so that the arresting officer can satisfy himself that the arrest could lawfully have been made without warrant by the officer issuing the requisition.

Clause 9.—Provision is made in this clause for the investigation by a Magistrate of the claims of third parties whose property has been attached as the property of the absconding accused. This is not possible at present. Proceedings may be instituted in a Civil Court for the establishment of a claim which has been disallowed by the Magistrate within a period of one year from the date of the order of the Magistrate. If the proclaimed person appears before the specified time, the property will have to be released from attachment.

Clause 12.—By the proposed amendment, the Magistrate will be prevented from proceeding upon any and every information and will have to satisfy himself as to the veracity and correctness of the information before taking any action. The Magistrate's power to detain the accused in custody will extend only up to taking further action under this chapter.

Clause 15.—Sub-Section (3) is added to Section 117 to enable Magistrates to take immediate steps in emergent cases to preserve the public peace or for the public safety by taking security proceedings pending the detailed inquiry.

Clause 16.—This clause provides for the rejection of sureties previously accepted on the ground of unfitness. But before such rejection, an inquiry will have to be held into the fitness of the surety. The conduct of the inquiry may however be delegated to a subordinate Magistrate.

Clause 22.—This clause provides for the stay of proceedings pending decision of a Civil Court by the Magistrate, if he is satisfied of the *bona fides* of a dispute regarding the existence of a public right of way and the like.

Clause 23.—Under this clause, a person aggrieved by an order under Section 144 of the Code will be entitled to apply to the Magistrate and show cause against the order and the Magistrate shall give him an opportunity to be heard. If the Magistrate rejects the application, he shall record his reasons.

Clause 30.—Sub-Section (1) of Section 162 has been re-drafted with a view to make it clear in what way the statements made under Section 161 can be used. The statements are not to be used in any way or for any purposes except as allowed by the proviso. They are not of much corroborative value where the witness merely repeats the same statement in court and they ought not therefore to be used for the purposes of corroboration under Section 157 of the Evidence Act. If the accused wishes to rely on anything in the previous statement of a witness to the police of which he has been allowed by the court to have a copy, he will have to prove it in the ordinary way. If any part of the previous statement of the witness is used for the purposes of cross-examination by the accused, any other part of it may be used by the prosecution within proper limits of re-examination. This is the only way in which the prosecution will be allowed to use the previous statements.

Clause 31.—By this clause, a statutory obligation is cast on a Magistrate acting under Section 164 to warn an accused person about to make a confession that the same may be used against him and the certificate by the Magistrate should record the fact that the warning was given.

Clause 34.—The power of authorising detention in police custody is confined under this clause to First Class

Magistrates and Second Class Magistrates specially empowered.

Clause 36.—The change effected by this clause provides for the communication of the result of the police investigation to the person who gave the first information, and for the supply of a copy of the charge sheet to the accused before the commencement of the enquiry or trial so that he may know the case he has to meet.

Clause 42.—The necessity for obtaining sanction under Section 195 before prosecution for offences connected with the administration of justice has been removed; courts will take cognizance, however, only on the written complaint of the officer or court before whom the offence was committed.

Clause 59.—This clause provides that when two or more persons are accused of offences of the same kind committed by them jointly during the space of one year, they may be tried for the same at one trial. It also provides for the combination of charges of theft, receiving stolen property and such like offences.

Clause 63.—The procedure in awarding compensation in false and either frivolous or vexatious charges has been more clearly laid down by directing that a Magistrate in his order of discharge or acquittal may call upon the complainant to show cause why he should not pay compensation. The Magistrate will consider and record any cause shown and pass such orders as he deems fit.

Clause 76.—Under the amendment, pardon may be tendered even during investigation and it can be tendered only by a Magistrate of the First Class who is inquiring or by any District Magistrate or Sub-Divisional Magistrate or with the sanction of the District Magistrate, a Magistrate of the First Class having jurisdiction in any place where the offence might be inquired into or tried.

Clause 89.—Under the existing law, fine can be recovered only by distress and sale of movable property. It is now proposed to enable the recovery of fine by sale of immovable property also. It is also proposed to prohibit the recovery of fine in cases where the offender has undergone the full term of imprisonment, in default of payment of fine, except for special reasons such as evasion of the payment of the fine, having the means to pay.

Clause 91.—When an offender is sentenced to fine only, provision is made for the payment of the fine in

circumstances, he suggested that the matter should be taken up a couple of days later. MESSRS. SOMASEKHARA RAO and VENKATASAMIAH were also of the same opinion.

The FIRST MEMBER OF COUNCIL explained to the House that these amendments were brought before this House after repeated representations made in this House as well as in the Legislative Council and that there was no departure from the law now prevailing in British India and that it would not be right on the part of the House to raise a merely technical objection and delay the consideration of these amendments any further. He added that if the House did not consider the amendments now, they would be delayed for a long time until the next sitting of the House. In these circumstances, he said that the small technical objection might not be pressed.

MR. HOSAKOPPA KRISHNA RAO said that under the circumstances the Bill might be taken up two days afterwards.

The DEWAN pointed out that it would upset the order of business and that as the intention was to consolidate the Act so as to include all necessary amendments which had since been introduced in British India, there was no harm in considering the principles in the House.

MR. PARAMASIVIAH said that the Government had already delayed the incorporation of the amendments introduced in the British Indian Legislature and that any further delay should under any circumstances be obviated. MESSRS. MALLAPPA, RUDRAPPA, M. NARASINGA RAO, RAMASWAMI and a few others supported the amendments and thought that further delay would not be in the best interests of the people.

MR. MAHOMED SHERIFF wanted to know why the changes relating to the racial distinction were not embodied when all the amendments *in toto* had been copied from the British Indian Code.

The DEWAN ruled him out of order and pointed out that matters which were subject to Treaty obligations, were excluded from the purview of the Assembly, and could not therefore be discussed.

MR. SOMASEKHARA RAO suggested that the proviso to the section relating to the grant of copies might be omitted.

MR. C. B. SRINIVASA RAO thought that provision should be made in the Criminal Procedure Code for the

power of review as in the Civil Procedure Code, as there were conflicting decisions on the point, and that any doubts on this point should be removed.

The FIRST MEMBER OF COUNCIL said that that question was not before the House and that that question might be raised in the Legislative Council.

MR. C. B. SRINIVASA RAO contended that he was not asking for any fresh amendments, but that he would be quite satisfied if the section were allowed to remain as at present without any modifications.

MR. BALIJA suggested that the list of compoundable and non-compoundable offences might be revised.

The member pointed out that the Indian Penal Code had nothing to do with the question, and that no details could be discussed in the Representative Assembly and that the Select Committee would consider any necessary changes.

The proposed amendments were put to vote and passed unanimously.

The seventh item of Government business to be taken up was the consideration of,—

A short note on the main principles of the bill proposed for preventing and controlling the spread of contagious diseases of cattle in Mysore, copies of which had been circulated to the members.

NOTE.

Introductory

"The Superintendent, Civil Veterinary Department, reported that there was heavy cattle mortality in the State on account of contagious diseases, and that the diseases spread mainly through the holding of cattle shows and fairs and the extensive dealing in the hides and skins of diseased cattle. He also reported that, in places, there was opposition from the villagers to the efforts of the Department to suppress the disease by inoculation. In view of the large interests the State has in the agricultural live-stock of the country and the fruitlessness of spending heavy amounts on serum without some measure of effective control at the same time on the movement of diseased cattle from place to place, the Superintendent has proposed the piece of legislation in question. He refers generally to legislation of a similar kind in western countries.

Features of the Draft Bill.

"The legislation is mostly on the lines of the Madras Cattle Diseases Act of 1866. It is not to be of general or permanent application, but is to be put in force only in such areas and for such periods, as the Government may direct by public notification. Hospital pounds, as distinguished from ordinary cattle pounds, are to be located in such notified areas, in charge of Pound-keepers appointed for the purpose by the Magistracy. The owner or person in charge of an animal attacked with a contagious disease is bound to give immediate notice to the patel (or the Inamdar) of the village, or to the Sanitary Inspector, in the case of a Municipality. The owner or other person in charge of the diseased animal is bound to keep it separate from other animals and to take other necessary precautions. Powers are given to the Veterinary Inspectors to make inspections of diseased cattle, enter buildings, etc. Provision is made for the custody of the diseased cattle in the pounds, for their treatment, etc. The feeding charges are to be borne by the Hospital Pound Fund Establishment, unless the owner offers to feed the animal himself. The owner is bound to pay the feeding charges, if the animal is cured. Power is taken to destroy diseased animals, if it is necessary to check the spread of contagion. It is proposed to make the inoculation compulsory and also to control the ingress and egress of cattle at the time of *jatras* or to prohibit the holding of particular cattle shows in notified areas. Power is reserved to make and prescribe bye-laws from time to time for the effective working of the Regulation."

In explaining the above statement, the SECOND MEMBER OF COUNCIL said:—"The mortality among the cattle in the State was very great, as much as 50,000, bulls having died of Dodroga and the Veterinary Superintendent had brought to notice that unless legislation of the kind proposed was brought into effect, it was impossible to eradicate the spread of contagious diseases among the cattle.

MR. PARAMASIVIAH pointed out that when the Plague Regulation was brought into force at first in the State, people were subjected to severe hardships and the Government themselves removed them later and if the main principles in the proposed bill were brought into effect, there would be much more hardships to the raiyats and as

such, he was not in favour of the segregation of the diseased cattle.

MR. B. NARASINGA RAO also opposed the legislation.

MR. ANANTHIAH was in favour of the proposal of Government and brought to the notice of the House an instance in which many of the cattle had been cured of their disease by inoculation and as such, even in spite of difficulties in the initial stage, he requested the members to give their wholehearted support to the proposal.

MR. HANUMANTHA RAO said that the cause for the death of so many cattle was not so much the prevalence of contagious diseases, as the want of fodder and water in recent years. The restrictions such as those proposed in the measure would certainly be a real hardship to the raiyats. Moreover, although Major Simpson gave excellent medicines, he considered that medicines such as those prescribed in Ayurveda were capable of curing the disease much better than European medicines. Under these circumstances, he did not think that a Regulation was necessary.

Some other members were not in favour of the proposal on the score that there were men available in villages to cure the diseases of cattle.

MR. KARNIK KRISHNA MURTHY RAO said that it would be better to open more veterinary dispensaries and have necessary establishment before bringing forward a legislation of the kind proposed.

MR. ANEKAL SREENIVSA IYENGAR opined that inoculation might be made compulsory, but that segregation of cattle should not be prescribed.

At this stage, the SECOND MEMBER OF COUNCIL told the House that the whole question might be divided into three parts, *viz.*, segregation, inoculation and giving notice to patel, of any diseases among cattle in the village. As the majority of the members were not in favour of segregation, he was agreeable to drop it. As regards the other two points, namely, the question of "notice" and that of "compulsory inoculation" he invited the discussion of the members.

MR. PIR SAB and some others represented that inoculation should be made compulsory and free of cost.

MR. M. NARASINGA RAO said that there should be no segregation, that very good medicines were available in rural parts for curing cattle of their diseases and that they need not waste their money on foreign medicines.

One member of Hunsur remarked that if more veterinary hospitals were established, the cattle diseases could be cured and that it would be a better arrangement.

MR. MAHOMED ABBAS KHAN stated that there was no guarantee that segregation would be an efficient remedy, and added that inoculation would be of much benefit to the raiyats and was of opinion that it might be made compulsory. He believed that it was not desirable to tax raiyats any more as they were already overburdened with land tax, education cess, railway cess, irrigation cess and other cesses without any corresponding advantage to them in the shape of tanks, or schools or vyidyasalas. He therefore thought that it would be quite justifiable on the part of the Government even if they were to spend 3 or 5 lakhs of rupees for the purpose of inoculation of cattle which was a very useful expenditure, when the Government were getting more than a crore of rupees from the raiyats in the shape of land revenue.

The SECOND MEMBER OF COUNCIL stated that *jatras* spread these epidemics and asked the members whether they were agreeable to segregation of infected cattle at least during the *jatras*.

MR. MAHOMED ABBAS KHAN replied in the negative and said that segregation within short distances would not stop the spread of the diseases of the cattle.

SECOND DAY'S PROCEEDINGS—30th September 1925.

Before proceeding to consider the next item on the programme, the SECOND MEMBER OF COUNCIL informed the House, with reference to the previous day's discussions in connection with the Bill proposed for preventing and controlling the spread of contagious diseases of cattle in Mysore, that there were two kinds of serum, one useful as a temporary preventive on occasions of epidemics, and another a permanent preventive. The first method cost only 13 annas a dose, while the second cost Rs. 2-8-0 per dose. If Government should use the better kind of serum for inoculating all the 45 lakhs of cattle in the State, an expenditure of about a crore and ten lakhs of rupees would have to be incurred, which was impossible. Government were, of course prepared to supply the cheaper variety, free of cost, only in places where epidemics prevailed. But in cases where owners of a large number of cattle wanted the better kind, it was expected that they would pay the difference between the cost of the cheaper and the costlier kinds of serum.

MR. MAHOMED ABBAS KHAN observed that if the cheaper variety was used, it was possible that the epidemic broke out again; and the expenditure would have to be incurred by Government over and over again. It was therefore perhaps more economical to inoculate cattle once for all with the serum useful as a permanent preventive.

The DEWAN replied that Government quite agreed in this view, but that in the present state of finances, it could not be helped.

MR. B. SRINIVASIENGAR of ANEKAL enquired whether Government could guarantee immunity, if inoculation was done with the costlier stuff.

The SECOND MEMBER OF COUNCIL said that it was reasonably certain that it would give permanent immunity and that the cattle owners had full option to pay the difference and obtain better serum if they liked.

MR. MALALI VENKATARAMAIA objected to permanently effective serum being used on the ground that milk would also permanently dry up and the calves of cattle inoculated therewith could not thrive. He therefore thought that the alternative proposal made by Government was acceptable.

MR. D. S. MALLAPPA observed that, if the proposed Regulation were passed, people would have to pay 6 annas for each inoculation, but under the proposal now made, they would have to pay as much as Rs. 2-8-0. He asked how the statements could be reconciled.

The SECOND MEMBER OF COUNCIL said that the position was different if the Regulation was passed, because it provided for segregation to which the members were objecting. If cattle were segregated, the question of inoculation on a large scale generally would not arise. Hence Government would not be put to so much expense, as otherwise they would be.

MESSRS. MALLAPPA AND G. PARAMASIVIAH requested that protection of cattle being as much the duty of the State as of the owners themselves, Government might be pleased to protect the cattle permanently, without recovering any fees. After all, it would not be necessary to incur all the expenditure all at once.

The DEWAN replied that it was purely a question of finance, and that it was not possible to undertake such a scheme. He added that even in the Madras Presidency such permanent protection was not afforded.

MR. VEMA REDDY agreed in this view; but he also thought that permanent inoculation should be done at least in cases where cattle owners wanted them at State expense.

The eighth item of Government business was the consideration of:—

The proposed legislation in the matter of Maintenance of Restored Tanks, in regard to which, the following note had been circulated to the members:—

Note on the Maintenance of Restored Tanks.

“The individuals held responsible for the maintenance and upkeep of the tanks are the Pattadars, Shikmidars, Inamdars and others holding lands attached to the village, either dry or wet, the inhabitants of the village and all others deriving any benefit whatever from the tank, either directly or indirectly, *vide* Article 360 of the Revenue Manual.

“The works falling under the head of tank maintenance are detailed below:—

Nature of work to be done by raiyats. —

- (1) To maintain the bund to the standard level and with the slopes specified.

- (2) To fill up gullies or other inequalities caused by rain, the treading of cattle, etc., upon the bunds of tanks and channels.
- (3) To check the growth on bunds of prickly pear and any similar rank and pernicious weed.
- (4) To clear any underwood from the bunds of tanks wherever it may be injurious.
- (5) To clear and repair the earthwork of petty and branch channels and clear away the accumulations in sluices, and in all channels issuing from tanks which obstruct the flow of water to the fields.
- (6) To keep in order, the supply channels of tanks.
- (7) To watch the bunds of all tanks during rainy weather, etc.

“In case of default by any individual in the execution, the patel is empowered and required to carry out the portion of the work that ought to have been done by the defaulter, by paid labour, the cost being recovered from the defaulter as a revenue demand.

“Where tanks have deteriorated owing to neglect of maintenance, the maximum amount that should be levied from the raiyats for their cumulative neglect is one year's assessment of land in the atchkat of the tank.

“II. With regard to levy of acreage cess in commutation of maintenance work, the best practicable means of maintaining tanks in good order is to entrust their management to the raiyats of the village, who are the natural guardians and immediate beneficiaries of the works. Government cannot relieve the cultivating raiyats of their responsibility in this respect and introduce *as a general rule*, the system of acreage under all irrigation works. The acreage cess can only be imposed where the raiyats have voluntarily agreed, by executing mitchalikas, to pay the cess instead of contributing labour and cannot, at present, be compulsorily levied. The levy of cess must remain as at present, an exceptional measure and is perhaps desirable in the case of large tanks with atchkats extending over a number of villages where owing to (a) the large number of absentee landlords, (b) factions in different villages, (c) scarcity of population or (d) other similar causes, communal labour cannot be readily obtained; and even in these cases, the cess should cover special

establishment charges for supervision and prompt execution of works, regulation of water, etc.

"Though the rules of tank maintenance are definite, it is noticed from the inspection of a large number of tanks, major and minor, in the Tumkur District, that invariably the maintenance work is absolutely neglected and in fact, not carried out at all. The raiyats are further encouraged by the fact that the liability of neglect of maintenance is limited to one year's assessment as stated above. Under such conditions, the restoration of tanks carried out by Government will have been practically in vain, as they are reduced to the same inefficient condition as before, by utter neglect. The co-operation of the raiyats in this matter is an extremely urgent necessity:

Proposals.

- (1) Legislation to make the maintenance work compulsory ;
- (2) Failing execution, levy of actual cost of work done by Government ;
- (3) In the alternative, legislation for levy of acreage cess ; and
- (4) Handing it over to Tank Panchayets for maintenance"

The FIRST MEMBER OF COUNCIL explained the above note and invited the opinion of the members on the proposals contained in it.

MR. N. SURAPPA asked how many tanks had actually been restored in respect of which such legislation was called for, and whether an assurance could be given by Government that if the legislation was passed, all the tanks in the State would be restored within a given time.

The FIRST MEMBER OF COUNCIL replied that the first part of the question could not be answered readily, and that it was impossible to give an assurance of the kind asked for.

MR. PARAMASIVIAH had no objection to the proposed legislation except the item relating to the levy of an acreage cess to which he had very strong objections. The cost of restoration varied in each case, and was not always proportionate to the atchikat under each tank. Already the raiyat was paying a number of cesses such as the railway, irrigation, etc., and it could not be said that the object of each cess was strictly fulfilled. Any cess that was levied from the raiyats should be uniform and equitable. The cess under reference could not naturally satisfy either of these two conditions. In cases where the raiyats failed to do their work, it was quite open for Government

themselves to do the work and recover the cost from the raiyats, as if it were arrears of land revenue.

THE FIRST MEMBER OF COUNCIL pointed out that the levy of an acreage cess was not the main point; in fact, it was only one of the alternatives proposed. The legislation was not going to have universal application. So far as the cases of tanks in which only one village was concerned, there was no difficulty at all, and it could be expected that the raiyats would, out of self-interest attend to maintenance; but in cases where more than one village derived benefit from one and the same tank, *e.g.*, Madagkere and Aiyankere, etc., in Kadur District, the raiyats of the several villages did not join in doing the work, with the result that each year, the tank fell into disrepair and required to be restored within a number of years. Government would in such cases be forced to get the work done and recover the cost by distributing it among the raiyats. In this view, the cess had to be regarded as a commutation of the raiyats' liability. It was far from the object of Government to treat the cess as an additional source of revenue. The Member also said that the difficulty would arise when the majority of the raiyats in a village agreed to pay, but a minority did not. It was for enforcing payment in such cases that the Government proposed to take power.

MR. BELUR SRINIVASIENGAR observed that the proposed legislation was laudable in so far as Government wanted to systematize the work of maintenance of tanks. But he asked how far Government themselves had done their duty in this respect, before legislating with a view to enforce the raiyats' part of the work. Successive Dewans had referred to the importance of restoring and maintaining the tanks, but none of them gave any practical shape to their views. The Dewan's Address during the present Session showed that the surplus this year was more than in some preceding years, and if only Government was particular about maintaining tanks in a satisfactory condition, it was not difficult for them to spend one or two lakhs of rupees to restore a few minor tanks at least. He therefore appealed to Government to defer the question of enforcing the raiyats' part of the duty, to postpone legislation in this behalf, and restore as many tanks as possible, before imposing the legal liability in respect of maintenance, by the raiyats. He also went further and prayed that Government took up also the work of maintaining tanks,

except the smaller items such as repairing bunds, filling up *gullies*, removing rank vegetation, etc.

The DEWAN observed that this was enunciating an altogether new policy which had never been accepted in any country in India.

MR. SRINIVASIENGAR requested Government to set an example to other Administrations, being the Model State, in the interests of the people.

The DEWAN asked the member to consider the enormous cost to Government under such a scheme, and the vast establishment that would become necessary. At any rate, the question of changing the law and practice in vogue for a hundred years and more, was not before the House. Besides, the Chief Commissioner's Notification had the force of law and if the above suggestion should be accepted, the law itself should be repealed.

MR. SRINIVASIENGAR pointed out that at the time when these obligatory duties of the raiyats were prescribed, there were not the Kolar Gold Mining Companies and the Sivasamudram Installations which were sources of very decent revenue to the Government at present. Apart from these considerations, tank restoration as well as tank maintenance was a primary duty of the State. The member also feared that the proposed legislation was only the thin end of the wedge and that the acreage cess, if accepted, would gradually be raised in course of time, as a source of revenue to the State. There was one aspect of the case which he wanted to specially bring to notice. Once the cess was agreed to, it could be collected as if it were arrears of land revenue, and it naturally followed that the land, in respect of which the cess was not paid, could be forfeited under the Land Revenue Code. For these reasons, he strongly objected to the cess, and appealed to Government to take a broad view of the case and take up the work of tank repair and maintenance on themselves.

MR. C. SRINIVASA RAO invited attention to the practice prevailing prior to the commission days and said that some village servants were appointed to attend to the minor works of tank maintenance, for which they were given *inamties*. When the Survey Settlements were introduced, lands were divided into dry, wet and so on, and higher rates were levied on wet lands than on dry. This was on account of the water supply that was assured to the raiyats, and also with reference to the nature of

the soil. During Sir Seshadri Iyer's days, this guarantee was also withdrawn and all tanks were divided into major and minor in accordance with their capacity and the atchkat. This was most unjust to the people, inasmuch as, while the performance of the obligatory duties previously cast upon the village servants was not insisted upon, the *inamties* continued in their name all the same.

THE FIRST MEMBER OF COUNCIL observed that this was not a correct view, and that *inamties* were since enfranchised and quitrent levied.

MR. SRINIVASA RAO stated that, however, the maintenance work was not binding on all the raiyats of the village.

THE DEWAN pointed out that this question was not before the House, and could be brought up by the member at a future time in the shape of either a representation or a resolution.

MR. KARNIK KRISHNAMURTI RAO agreed with Mr. Srinivasa Rao in the above views and added that all along the long past, it was never insisted that the raiyats should attend to maintenance work. If Government had done the annual repair works from the beginning regularly, there would not have been so many tanks for restoration now. He therefore suggested that the rules be properly revised and enforced after the present survey guarantee expired. It was not right for modern civilized Governments to perpetuate the hardships introduced in the past.

MR. MIR MAHOMED SAB said that the raiyats were not satisfied that the irrigation cess which they were paying was utilized to the best advantage. The supply of water was not assured, as in Madras, where wet rates are levied. In fact, for want of water facilities, crops often failed and remissions had frequently to be granted. Under such circumstances, the levy of an additional cess was not called for. The member requested the abolition of the irrigation cess and also reversion of the old practice of raiyats doing earthwork.

The DEWAN repeated that the question of acreage cess was only one of the alternative proposals, and it was open to the member either to support or oppose it.

MR. MD. ABBAS KHAN differed from the view expressed by some previous speakers that annual repair works should be attended to by Government themselves in respect of all the tanks in the State. It involved too much

expenditure and also was impracticable. In cases where raiyats failed to do their duty in this respect, it was open for Government to execute the work themselves and recover from the raiyats the cost thereof. The member was not particular that the amount thus collected should be restricted to one year's assessment only irrespective of the actual cost incurred by Government. He had no objection to all the cost being recovered in easy instalments, but did not like the idea of levying a cess even though the raiyats might be prepared to execute muchalikas in this behalf.

MR. D. S. HANUMANTHA RAO requested that Government might restore all the tanks so far as might be practicable each year, and hand over the restored tanks to the raiyats for proper maintenance in the future.

MR. B. SRINIVASIENGAR of Anekal said that according to the Chief Commissioner's circular issued in 1873, only the customary labour in the shape of earthwork was compulsory on the part of the raiyats. The irrigation cess was not even thought of, whereas, now the Government have levied an irrigation cess for the purpose of tank maintenance besides expecting the raiyats to do earthwork also. Thereby the Government have not been sharing the cost of tank maintenance in any degree.

The REVENUE COMMISSIONER pointed out that the irrigation cess was not levied for the purpose of tank maintenance, but that it was meant as a contribution for the stone-work undertaken by Government. The question at issue was the raiyats' contribution towards the annual maintenance of tanks.

MR. SRINIVASIENGAR next protested against the clause that "where tanks have deteriorated owing to neglect of maintenance, the maximum amount that should be levied from the raiyats for their cumulative neglect is one year's assessment of land in the atchkat of the tank," and opined that this provision was already too severe and that the penalty for the neglect of maintenance of tanks on the part of the raiyats should, in no circumstances, exceed one year's assessment. He drew the attention of the House to the circular issued by the Chief Commissioner enjoining on the Revenue Officers the annual inspection of tanks with a view to the execution of annual maintenance works, and remarked that if Government officers had been paying proper attention to

their inspection work, the neglect complained of on the part of the raiyats could have been avoided. If the tanks deteriorate, not only the raiyats, but also the Government would stand to lose. Judging from the present seasonal conditions, he felt that the present wet rate (which included dry *plus* water rate) and the irrigation cess of one anna which was being compulsorily collected for revetment work whether there was water supply or not, worked as a hardship on the raiyat and hence he was strongly opposed to the levy of an acreage cess now contemplated.

In supporting the above views, MR. VEMA REDDI observed that where tanks deteriorated owing to neglect of maintenance, the Government officer under whose jurisdiction the tanks lay should be made personally liable. Unless this was done, there would be no proper supervision over the restored tanks and their annual maintenance and in the absence of timely inspections, the raiyats were apt to neglect their work also. It would be very hard to expect the raiyat to pay an amount equivalent to two years' assessment for the restoration work at any time. Very often, the yield from the land would hardly suffice the cost of cultivation and the usual assessment. He, therefore, appealed that in all such cases, the extra cost of maintenance should be borne by Government. Referring to the question of levying acreage cess, he said that he could not find any extra force in the new proposal as there was already provision to collect from the raiyats whatever Government spent on maintenance work. As such, there was no need for any fresh legislation. Even if the acreage cess were levied, there was no guarantee that the proceeds would eventually benefit the raiyats as most of the money went into the pockets of the Public Works Department contractors.

MESSRS. KESAVIAH and BORANNA also opposed the levy of the acreage cess and said that when wet assessment was levied, it was the duty of Government to look to the maintenance and restoration of tanks.

MR. BORANNA referred to the special recognition given by Government formerly by the grant of *inamties* to the raiyats who were entrusted with the maintenance work. He complained that in spite of the raiyats' paying a separate water rate, very few tanks had been set right. In cases where the cost of restoration exceeded the total water rate on the atchkat, the difference alone might be

recovered from the raiyats. He was of opinion that the system of giving the right of *hulbanni* and fishing to the raiyats should be discouraged. Though the raiyats were always ready to accept this concession with the ostentatious promise of doing the earthwork, very often, they were found wanting and to auction away this right for money consideration, at the same time neglecting their own responsibility as regards maintenance work. It would therefore be better to have these rights auctioned by Government through the Village Officers and utilise that income for tank maintenance, thereby lessening the obligation of the raiyats of the locality. In conclusion, he opined that when there were ever so many ways and means of getting the maintenance work executed in the ordinary course, there was no need for a separate levy.

MR. S. C. MALLAIYA agreed that several tanks were in utter disrepair for the past several years due to the neglect of the raiyats themselves and that the proposed legislation aimed at ensuring the annual maintenance of restored tanks. The Government recognised it as their duty to attend to the work of stone revetment. But by transferring the maintenance work also to the Government, the interests of the raiyat were sure to suffer and so, Government should pay special attention to induce the raiyats to attend to annual maintenance work. Wherever the raiyats failed to do this, Government should interfere then and there and do the work themselves promptly and then recover the moneys from them.

In winding up the discussion on this subject, the FIRST MEMBER OF COUNCIL explained that Government would not have proposed the new legislation so long as the maintenance work was attended to by the raiyats in accordance with the rules made by the Chief Commissioner. The Government were not prepared to allow the policy laid down by the Commissioner to be criticised by the members. The provision for the recovery of the actual cost of work done by Government from the raiyats was not a new one. The suggestion for the levy of an acreage cess was an alternative suggestion which could be given effect to only if the raiyats joined together in executing a *mutchalika* to the effect that they would pay the cess in lieu of this contribution. The provision for handing over the functions of the old Tank Panchayets to Village Panchayets was a new one for which legislation was called for, when the Village Panchayet Regulation,

as recently amended, came into operation. If a large majority of the raiyats favoured the idea, it would be possible to make a suitable legislation, in which case, a reference would be made to this House again. At present, the Government only wanted to obtain the views of the members on the proposed measures.

The next item taken up was the answering of supplementary questions connected with replies to interpellations, copies of which had been distributed to the members on the previous day.

Interpellations.

By. MR. S. KRISHNASWAMI RAO (Mysore Rural).—

Q.—1. Will the Government be pleased to state :—

(1) The number of Original Suits, Small Cause Cases, Miscellaneous Cases and Execution Cases filed during the year 1924-25 in the Sub-Court, Mysore.

(2) The number of Original, Small Cause, Miscellaneous and Execution Cases and also Appeals pending before the same court at the close of the year 1924-25.

(3) The total number of witnesses that had to be examined in the Original Suits during the year 1924-25, and the average number of witnesses examined per working day in the Original Suits during that year.

(4) The total amount of *batta* paid to witnesses during the said period in the cases adjourned for want of time.

(5) Average duration of contested Original Suits excepting those that were compromised after contest.

(6) The total net income to Government from this court after deducting all kinds of expenses including salaries.

SECRETARY TO GOVERNMENT, LOCAL AND LEGISLATIVE DEPARTMENTS.—

A.—1. A statement giving the required information is placed on the table. (*Vide* Appendix I.)

Supplementary Questions.

Mr S. Krishnaswami Rao.—

* With reference to answers to Question 1 (1) and (2), will Government be pleased to state whether the work in the Sub-Court is not congested?